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VIEWS AND REVIEWS

I

THIS issue goes to press in the midst of the confusion of moving our office to New York. By the time it reaches your hands we shall be comfortably settled in our new quarters. We leave Philadelphia with sincere regret. All the life memories of the League cluster about the North American Building. However adequate office space could not be secured at the old quarters and our time-tested, Philadelphia friends will continue their active interest and support. And hereafter when you visit New York take pains to look us up. It is an obligation which you as a member owe the League, to come in and set the new secretary right. He needs both your destructive criticism and your constructive suggestions.

II

THE presidential preference primaries have come and gone. Writing on the eve of the big national conventions we have only to note that in the one party in which a *bona fide* contest was waged at the primaries the highest candidate received less than one-third of the number of instructed votes necessary to nominate him. Whatever merit existed in the convention system in its palmy days still remains. And its evils as well. The "bosses"

are reliably reported to have no fear that control has slipped from them. The conventions, true enough, may prove refractory, but the candidates nominated will not have been the clear choice of the people. The 277 votes from the southern states, possessing inordinately disproportionate weight in the Republican convention, may decide the matter there. All suspense will have been relieved by the time this reaches your hand.

The preferential preference primary is sick. In reality we only instruct our delegates to use their own judgment. We have tried to unite two irreconcilables, the convention system and direct choice by the people. Even in the realm of pure idea they are contradictory.

At this writing all the delegates have been chosen and the people have had no actual opportunity to register a preference. If there were only two candidates and if both were entered in all the primaries we might know how the wind of popular choice was blowing, but candidates enter or disregard the primaries in accordance with prearranged strategy. In fairness to the primaries it must be said that they afford a candidate an opportunity to go to the people but the voice of the people, with the possible exception of the extraordinary situation of 1912, has returned an uncertain verdict. And

the convention may admit or cast out whatsoever delegates it pleases, state laws to the contrary notwithstanding, on the ground that such laws conflict with long established rules of the convention.

President Wilson urged on congress in 1913 the passage of a law, the constitutionality of which can be questioned, to provide for nation wide primaries and recommended that the party conventions be retained only for formulating the party platforms. When will the party leaders submit to a one-half of one per cent national convention, without the romance and the kick? And a nation wide primary returning a direct popular choice will not fit in with our present system of election by an electoral college. How easily might the organization be wrecked in the doubtful states!

III

HAS the community any right against the state? Of course our legal principle is that the local government is the creature of the state but this theory in practice has proved abortive. The home rule movement, always bitterly assailed by conservative lawyers in constitutional conventions, seeks to secure for the municipality or county authority to exercise powers relating to local affairs. But what are local affairs and what are state affairs? At this point "home-rulers" fall out among themselves. Take the matter of municipal finance as an example. Should cities and counties be free to contract indebtedness as local fancy wills? Is the whole state injured when a local unit of government becomes improvident and bankrupt? The state does not guarantee investments in private corporations. Has it any obligation to the bond holders of a defaulting city?

In Alberta at the last session of the legislature, the minister of municipal

affairs urged, without success, that the province maintain her credit by extending aid to communities which had fallen into financial difficulties. In Saskatchewan, the local government board, which has power to supervise local borrowings, has been able to keep the municipalities off the rocks. And the Indiana tax law, described in this issue, which gives somewhat similar powers of review to a state board is to-day a political storm center.

In this connection the Pennsylvania commission on constitutional revision proposes that the constitutional restrictions on local debt contracting powers be relaxed in favor of a provision allowing the legislature to establish a state financial commission with power to approve or disapprove local borrowings.

IV

THOSE of us who are more academic are wont to remind ourselves that all political betterment is a matter of long-time education. Fundamentally we are right and the work of the League proceeds along these lines; but there is another consideration to which we must attend. Some may call it education in a broad sense, most of us call it lobbying. By this we mean being on the job where political reform is being agitated; helping out the oft-times small group who are trying to make the most of an opportune moment to secure a new charter or a revised constitution. We all know what a few lively persons, equipped with the knowledge of facts and well grounded in the philosophy of democracy can accomplish in the face of vested political interests, once the pure educational process has prepared the way.

Here is proposed a new task for the National Municipal League. Several states are in the process of or are about to begin revision of their constitutions.

Numerous cities are drafting new charters. Counties are growing restless. Of course we help by correspondence and printed matter. But isn't it time that we developed our field work if we are to "put over" our program?

V

IN Pennsylvania the commission to revise the constitution has just concluded its hearings. Before them appeared, as representatives of the National Municipal League, our new Field Director to argue the reorganization of the state's legislative and executive department, our Honorary Secretary to argue the case for municipal home rule, and the Secretary to advocate reform in county government and a representative election system. A small but able local group did valiant work at all times. Elaborate briefs were presented on numerous subjects but what was accomplished (and the result surprised even the most optimistic) was the fruit of tireless lobbying. Temperamentally

antagonistic to "radical" ideas, the forceful members of the commission were nevertheless reasonably open minded. Before such a tribunal the proposals, which we as members of the League favor, were put to severe testing. That they can win in such an ordeal reassures us as to the sound logic of our program. As a national organization the League faces a ripe opportunity for developing resources which would aid our states, cities and counties in transforming our program into concrete fact.

VI

WE are glad to announce that by recent action of the executive committee Dr. A. R. Hatton becomes field director of the National Municipal League. Dr. Hatton has been on the job constantly at the Illinois constitutional convention, consorting with the friends of progress there, and converting reactionary members to a new political faith.

HAROLD W. DODDS.

PROPORTIONAL REPRESENTATION IN BOULDER, COLORADO

BY ARNOLD J. LIEN

*Boulder has had two elections under proportional representation. Its
experience is here related. :: :: :: :: :: :: ::*

I

JANUARY 1, 1918, went into effect the home rule charter of Boulder which had been approved by the voters of the city in the election of October 30, 1917. The charter represents an attempt to recognize in a practical way the principles of the functional plan of organization. It accordingly provides, on the one hand, for a small but thoroughly representative council through the adoption of the Hare system of proportional representation and, on the other hand, for an efficient administration through a city manager and a small number of well organized departments.

In a population as small and homogeneous as that of Boulder there was from the outset considerable doubt as to whether a system of proportional representation would yield superior results proportionate to its complexity. Politics and factionalism, or even radically different interests, have very rarely been prominent in Boulder elections. The Hare system was adopted, therefore, not to remedy any flagrant evil, but rather because it was regarded as a more ideal mechanism than the old plan and so as an arrangement which might in the long run prove more satisfactory.

The first election under the new charter was held December 11, 1917. Nine councilmen were to be elected. Since the term of office was to be six years, in order to satisfy the require-

ment that three councilmen shall be elected every two years, it was necessary in the first election to arrange for three distinct sets of candidates, each set corresponding respectively to a two-year, a four-year, and a six-year term. This necessarily complicated the ballot. To assist the voters in mastering the new system, several public meetings were held at which concrete explanations and demonstrations were given. The papers of the city were very liberal in their exposition of the system. Simple and adequate directions were printed on the ballots.

Candidates are required by the charter to file their declarations of candidacy with the city clerk. Only when such declarations have been filed, may signatures be attached to the nominating petition. Signers must appear in person in the clerk's office to sign the petition. When not less than twenty-five nor more than thirty-five signatures have been made, the candidate is declared nominated.

For the two-year term in the election of 1917, there were seven candidates. Eight hundred and fifty-nine votes were cast. Of these only fifty-six were void. The electoral quotient, under the Boulder plan, is found by dividing the total vote by the number of representatives to be elected plus one. This process gave an electoral quotient of 201. The first count resulted in the election of one councilman, a popular physician, who had, in addition to the required 201, a surplus of ninety-eight.

The election of the other two was not made before the surplus of the first councilman had been distributed and the four candidates lowest on the list had been successively eliminated.

For the four-year term there were five candidates for whom were cast 796 valid ballots. The electoral quotient was 200. One candidate had a surplus of forty-two. This was a very prominent and widely known woman. The distribution of the surplus resulted in the election of a second councilman, a man who had been in politics for many years and had represented the Boulder district in the state senate. The third election resulted only after the final elimination of the two candidates lowest on the list.

Eight candidates were nominated for the six-year term, and one voter cast his vote for a ninth candidate. Eight hundred and fifty-nine ballots were cast. Of these fifty-eight were void. Of this group, the three who were declared elected were those who remained after the elimination of the six who in succession had the smallest number of votes. Of the three who had the highest number of votes only one had a number equal to the electoral quotient.

In part on account of its newness, in part on account of the interest aroused during the period of charter making, and in part on account of the larger responsibility of the council in organizing the new government and selecting a manager, the new system attracted an unusually large number of candidates. The result was a very satisfactory set of councilmen. The voters apparently had found the system workable. The percentage of void ballots was so small as to be negligible. While there were no evidences of great enthusiasm, and while there were some cases of adverse criticism directed at the complexity both in the balloting

and of the tabulation of results, yet the general opinion was that the system would probably prove superior when the voters had become better acquainted with it.

Three vacancies occurred before the time of the next general election—one as the result of the death of a councilman elected for six years, two as a result of resignations by councilmen elected for the four-year term, who enlisted in war service. These vacancies were filled, in accordance with the charter, by new men, appointed by the council, to serve until the next election.

The second election under the charter came November 4, 1919. Normally, only three councilmen would have been elected at this election. On account of the three vacancies, which had been filled temporarily by the council, the number to be elected was increased to six.

For each of the unexpired terms, there was only one candidate—in each case, the councilman who had already begun to serve as a result of appointment by the council. These candidates were, of course, elected; but the number of void ballots was amazing. Out of a total of 1,167 votes cast for the candidate for the unexpired part of the six-year term, no less than 297 were void. For the candidates for the remainder of the four-year term, 890 votes were cast. Three hundred and sixty-four were void.

Six candidates were voted on for the regular term. Two hundred and seventy-five ballots were void. The 890 valid ballots gave an electoral quotient of 223. Two candidates were declared elected after the first count—the popular physician who had been elected in 1917, and a well-known business man who is now mayor. The third was elected through the transfer of the surplus of the other two.

In addition to the election of coun-

cilmen, the voters were asked at this election to express themselves upon one simple charter amendment and one bond proposition. On the charter amendment, the void votes were equally amazing—close to 300.

II

The nature of the irregularities that made so large a percentage of ballots void was generally the same—the use of the cross in place of the numeral in voting for candidates, and the attachment of a cross to both “yes” and “no” on the charter amendment.

No adequate explanation can be found for these very unsatisfactory results, except as it is found in the force of habit of the voter and his general lack of care and close observation. On the charter amendment, the intention probably was to vote affirmatively. The negative vote was probably intended as a vote against the bond issue. One “yes” and one “no” was probably the decision made by the voter before he went to the polls. Through sheer carelessness, the crosses hit the wrong squares.

Simple and clear directions were printed on the ballots. The newspapers had explained as before. But the newness had worn away and the voter reverted to his original habit, the more easily because between the first and second city elections had occurred a state and national election in which he used the old method.

The enormous percentage of void ballots has discouraged even the enthusiast for the Hare system. A system that virtually disfranchises so large a number of voters can hardly be regarded as desirable, is an argument now not uncommonly heard in Boulder. The argument clearly has weight. Clearly, too, is it confusing to the busy

voter to use one method in one election and a different method in another.

The remedy must involve more adequate methods of instructing the voter. Directions on the ballot possibly can be printed in more striking form so as to catch more certainly the attention of the voter. The principles of commercial advertising have a place in the solution of this problem. Newspaper comment, posters, mass meetings, school-room instruction—all can be resorted to with better results. Continuous education and more effective education.

Much could be accomplished also through a plan of stationing at each polling place a group of competent, non-partisan advisers. This committee of advisers might take the place of the old election judges. A committee of very carefully selected members would be necessary—members with tact and understanding and enthusiastic patience. This committee would hand out the ballots, supervise the polling place, and receive the ballots; but more important than any one of these, would be its function of explaining to each voter, who had any doubt or question about the method of voting, exactly how to mark the ballot. With a committee that was awake in estimating the voters as they came in, it should be possible to achieve very close to perfect results.

The composition of the present council of Boulder is regarded as fairly representative: two women, six business men of varying stamp, and one college professor. The result of proportional representation so far as it can be judged from the personnel of the council has been satisfactory. The result when measured by the first essential of the whole Hare system—every vote counts, no votes are wasted—leaves enormously much to be desired.

INDIANA TAX REFORMS

BY J. A. ESTEY

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In an effort to patch up the uniform general property tax Indiana further centralized her tax administration. The law of 1919 has been made a campaign issue, especially that feature which gave the state board power to review local tax rates and expenditures. :: ::

An interesting situation has arisen in Indiana where the tax law of 1919 passed by a Republican legislature and claimed by the Republican party to be their "greatest achievement in Indiana since the Civil War," has become a campaign issue.

The law of 1919 is essentially a makeshift. It is designed to remedy some of the more glaring defects of the general property tax, until the passage of a constitutional amendment should give power to the legislature to levy income taxes, classify property for taxation, and take any other measures necessary to secure an equitable tax system.

For some years the Republican party has been under pledge to do what all agree must be done if taxation is ever to be reasonably satisfactory—break up the general property tax with its fundamental and unescapable defects. With this in view (and for other purposes as well) the legislature of 1917 provided for a constitutional convention to revise the constitution of the state. This being set aside by the supreme court, the legislature of 1919 introduced two constitutional amendments giving the assembly power to provide any taxation system it deemed equitable, and these amendments are now taking their due course.

However, as they could not be approved before the election of 1922 at the earliest, and as something had

to be done meanwhile, the legislature of 1919 enacted this much-discussed tax law as the best that could be done under the constitution as it now stands. It is, as said before, a makeshift. It is confessedly imperfect; it could hardly be anything else. But Republicans claim it is far less imperfect than the old law, and, indeed, as reasonably perfect as a general property tax can be under modern conditions.

THE LAW OF 1919 SUMMARIZED

The important parts of the law may be briefly summarized as follows:

(1) All assessments are to be made at full cash value.

Under the old law, assessments, despite the efforts of equalization boards, ranged from 25 per cent to 60 per cent of true cash value, and the needs of the local districts resulted in rates of taxation from $3\frac{1}{4}$ per cent to over 5 per cent. As usual, the effect of this was to foster gross inequalities in taxes on real estate, and drive the bulk of intangibles into hiding to escape the insufferable rates on personal property. The legislature therefore proposed to raise assessments to full value, partly to smooth out existing inequalities in the case of real estate, and particularly in the hope of coaxing the intangibles out of hiding by a rate as low as $1\frac{1}{4}$ per cent to $1\frac{3}{4}$ per cent, and

so cause investments to bear a reasonable share of tax burden. The undoubted effect of this change will be to increase taxes on large properties (which gained most by under-assessment) and correspondingly reduce burdens on small; but whether even a rate of $1\frac{1}{2}$ per cent will make people much more willing to declare intangibles still remains to be seen.

(2) The tax commissioners are given power to order re-assessments of property in any district, reassess any individual piece of property, and make horizontal increases or decreases in assessments.

If local assessors are not to nullify the law by disregarding (consciously or otherwise) the full-value-assessment clause, these powers, particularly that of making horizontal changes, are clearly necessary, at least till assessors are educated up to the new standards. But the effect of horizontal increases has been in some instances to assess properties at more than their market price, and this has caused considerable and widespread complaint. The fact that the trouble can usually be traced to the unequal valuations of local assessors in the first place, and is not at all due to the ruling of the commissioners, has not yet been sufficiently realized to allay popular disapproval.

(3) To make these powers more effective, the board of tax commissioners is attempting to use the right (not new to this law) of removing objectionable local assessors. But this interference with duly elected officials has been decidedly unpopular and, so far, commonly unsuccessful.

(4) No local body may issue bonds, nor levy tax rates which will yield more revenue than that of the previous year, save with the consent of the state board of tax commissioners. In the matter of bond issues, the decision of the commission is not final, but may be

overruled by a referendum vote of the taxpayers in the district concerned.

These two provisions of the law are certainly the most unusual, and (particularly the bond provision) the cause of much popular opposition. But it is evident that their significance has not been properly understood.

HOW IT WORKS IN PRACTICE

The constitution of Indiana as interpreted by the state courts gives to bond-issuing bodies the right to issue bonds up to 4 per cent of the *assessed* value of property in the district. So that any increase in the aggregate value of assessments raises this borrowing power proportionately. But the effect of the true-cash-value provision meant a probable increase in assessments of anywhere from 100 per cent to 200 per cent or more; and the legislature of 1919 therefore introduced this apparently necessary check on bond issues to avert what seemed to be a very immediate danger of rash and possibly ruinous borrowing all over the state. The practical result of this provision has been to flood the tax commissioners with applications from numerous local bodies anxious to issue bonds, and almost to overwhelm them in the operation of their own machinery. It was probably wise to attempt some control over reckless borrowing during the transition from low to high assessments, but this provision in operation has been very burdensome to the commission and very unpopular among the people, and it will probably be abolished. Indeed the platform of the Republican party of Indiana just published declares that the control of tax levies and bond issues should be restored to local taxing units, "to preserve the right of self-determination and local self-government."

The tax levy provision sprang from

a fear lest local authorities should fail to lower rates in proportion to the rise in assessments, thereby not only imposing heavy additional burdens on the taxpayers, but bringing serious discredit on the new tax law in general. Hence local units were required to levy such rates as would yield no higher aggregate of taxes than the year before. This compelled a substantial reduction of rates and it is certain that opposition to the law when first proposed was a good deal allayed by the assurance that increased assessments meant only a redistribution of the tax burden among individuals, not an increase in the total tax for the district.

Such are the principal features of the

law of 1919. Essentially, the law is little more than an attempt to make the general property tax work by prescribing 100 per cent assessments all round, and establishing the necessary machinery both to enforce this rule and to guard against dangers attendant on its application; the results desired, of course, being reasonable equality in taxation of real estate and a rate low enough to bring out large amounts of personal property. That the law will substantially improve the situation as regards real estate is probably already established; but the under-taxation of intangibles can never disappear until the legislature is empowered to classify property for purposes of taxation.

CLASSIFICATION AND SALARY STANDARDIZATION IN PHILADELPHIA

BY CLINTON ROGERS WOODRUFF

President, Civil Service Commission, Philadelphia

I

THE city of Philadelphia is the most recent addition to the ranks of governmental bodies realizing that employment conditions and compensation must be standardized if efficient organization and satisfied personnel are to exist in the public service. In the new charter approved by the governor June 25, 1919 (Act No. 274 for the Better Government of Cities of the First Class of this Commonwealth approved June 25, 1919), a specific duty was placed upon the civil service commission to classify and grade all positions in the classified service and to make recommendations regarding rates of pay. The specific provisions which apply are contained in section 17 of Art. XIX which reads:

"The commission shall classify and grade all positions in the classified service. The commis-

sion shall ascertain and record the duties of each position in the service, and, wherever it appears that two or more positions in a service have duties which are substantially similar in respect to the authority, responsibility, and character of work required in the performance thereof, they shall be placed in the same grade, which the commission shall designate by a title indicative of such duties. Grades having duties of the same general nature and in the same line of promotion shall be placed in the same class and the lines of promotion definitely specified. For each grade the commission shall determine a standard maximum and minimum salary or rate of pay, and shall report the same to the mayor and the council, together with other information pertaining to a proper rate of pay for personal services of incumbents of positions in the civil service."

Previous commissions had attempted some standardization of employments without the specific direction contained in the present charter. That work of classification was never fully

completed, and no part of it was put into force. The city departments, as reorganized under the new charter, the employees of which are included in the classified service, are as follows:

- Department of Public Works
- Department of Public Safety
- Department of Public Health
- Department of Public Welfare
- Department of the Mayor
- Department of City Transit
- Department of Wharves, Docks, and Ferries
- Department of Law
- Department of Purchasing Agent
- Civil Service Commission
- Art Jury
- City Architect

Other city departments were not included under previous civil service laws and the jurisdiction of the civil service commission was not extended by the new city charter to include them. Soon after its appointment, however, the present commission sent communications to the heads of all these other city and county departments, calling their attention to the work of classification and salary standardization required by the charter to be done in all the departments whose employees are included in the classified service, pointing out the value and desirability of extending this classification and standardization over all employees of the city and county. As a result of this communication the prothonotary of the court of common pleas and the municipal court, the department of receiver of taxes, and the sheriff of the county of Philadelphia, requested the commission to extend the classification and salary standardization so as to include their respective departments. At the time of this writing the remaining departments have not expressed the desire to have their positions included in the work and the commission lacks authority to include them without the

consent of the department head concerned.

Early in January, and within a few weeks after the new commission had been appointed, it turned its attention to the problems involved in the classification and standardization work before it. Interviews and conferences were held with the civil service reform association of Pennsylvania; the bureau of municipal research of Philadelphia; and with numerous other authorities experienced in undertakings of this character. The commission is particularly indebted to the civil service reform association of Pennsylvania for the collection of statistics, figures of cost, and methods of procedure used on other classification projects. After extended study of the situation in Philadelphia and thorough consideration of the costs involved the commission requested the city council to appropriate the sum of \$30,000 to defray the expenses of the work.

II

The commission was fully aware of the importance of the work before it. There was, however, a great deal of additional work placed upon the commission by the provisions of the new charter which had not been done by previous commissions. This work included, among other things, the necessity of applying a new set of civil service rules based on the provisions of the new charter and the setting up and administration of a system of hearings for members of the police and fire departments who were placed under charges for removal. With these added duties, each calling for much investigation and research, and with the added necessity of instituting improved methods in the examination division, the commission was convinced that it must take drastic steps to have the work of

classification prosecuted rapidly and by an experienced staff. Added to these complications was the necessity, —which still exists,—of completing the classification and the setting up of recommended salary rates at a time early enough to permit of their incorporation in the next annual appropriation bill. The new city charter requires that the mayor furnish to the council on or before October 15 of each year a budget of expenditure for the fiscal year beginning on the following January 1. This makes it necessary that the present classification and standardization work be completed in time to permit the mayor and department heads to consider the results and incorporate them in the estimates which must be ready on the date mentioned.

By reason of the short time remaining for the work to be done, and by reason of the difficulties and the expense involved in organizing a special staff of its own to make the classification, the commission determined to engage a temporary expert staff experienced in work of this character. The communication to the council asking for the appropriation of \$30,000 for the work made this point clear and included estimates of the size of staff necessary and the cost of the various stages of the work. The council, in granting the request for the appropriation, included a provision in its ordinance requiring that the commission enter into a formal contract with the expert staff which it engaged to do the classification work and that bond be furnished by this staff for the proper fulfillment of the contract.

The laws and ordinances governing contracts required that the commission issue specifications for the work and receive competitive bids before awarding the contract. In complying with these requirements the commission was greatly aided by Albert Smith

Faught, Esq., of the Pennsylvania civil service reform association who prepared a tentative draft of specifications answering both the legal and practical requirements.

III

As a result the commission finally prepared and issued the specifications on April 9, 1920 of which the following is a full summary:

I. Each bidder must take notice of the provisions in Article 19 of the new charter of Philadelphia, act approved June 25, 1919. The provisions in reference to classification of positions and standardization of salaries and incidental matters require the following:

1. *Ascertaining and recording duties of positions*

The commission shall ascertain and record the duties of each position in the classified service.

2. *Placing similar positions in the same grade*

Wherever it appears that two or more positions have duties which are substantially similar in respect to authority, responsibility, and character of work required in the performance thereof, they shall be placed in the same grade.

3. *Determining titles*

The commission shall designate each position by a title indicative of such duties.

4. *Establishing lines of promotion*

Grades having duties of the same general nature and in the same line of promotion shall be placed in the same class and the lines of promotion definitely specified.

5. *Determining maximum and minimum salaries*

For each grade the commission shall determine a standard maximum and minimum salary or rate of pay, and shall report the same to the mayor and the council.

6. *Obtaining information as to proper rate of pay*

The commission is required to report to the mayor and council information pertaining to a proper rate of pay for personal services of incumbents of the positions in the civil service.

7. *Devising standards for the classification and grading of positions*

The foregoing legal requirements clearly imply the duty of the commission to devise

standards of duties and of qualifications for appointment which may be used as a guide in the classification and grading of positions.

The contract is to cover all of the foregoing items.

II. The scope of the work is to include all positions the salaries of which are paid by or through the office of the Treasurer of the City of Philadelphia except the positions under the following: School District of Philadelphia, City Controller, Coroner, District Attorney, Register of Wills, City Treasurer, Registration Commission, Inspectors of County Prisons, Fairmount Park Commissioners, Clerk of Council, City Commissioners, Clerk of Quarter Sessions, Philadelphia Museum, Free Library of Philadelphia, Board of Revision of Taxes.

III. Bidders are asked to submit a separate figure on a per employe basis for work involving positions under offices, boards, departments and commissions not regularly included as indicated above.

IV. The bidder will furnish the following: All work cards, forms, cards for permanent records, questionnaires and miscellaneous printing, typewriter paper, carbon paper and miscellaneous office supplies, needed in doing the work covered by the contract. . . .

V. The contractor will furnish all clerical work and provide his own staff of investigators, clerks, stenographers, messengers and other help.

VI. The contractor will render such instructions and information as may be desired in reference to the work covered by the contract to the members of the civil service commission, and to such employes and examiners of the commission as may be detailed by the commission for such instruction. Although members of the staff and employes of the civil service commission may be detailed to assist in carrying out the work covered by the contract, the contractor must not rely upon any definite assistance, but must be prepared to do the whole work himself.

VII. The work is to be done under the direc-

tion of the civil service commission, and six typewritten copies of the report or reports of the contractors must be furnished to the civil service commission on or before September 15, 1920. One half of the compensation will be paid in equal monthly installments commencing one month after the actual beginning of the work. The remaining half of the compensation is to be paid one month after the final delivery of the six typewritten copies of the report or reports covering the work covered by the contract, and their acceptance by the civil service commission as being in accordance with the contract.

Sealed bids were received on the afternoon of April 12. A number of accounting and engineering firms submitted tenders. Only those who had had previous experience in this field of endeavor were considered, however.

Notice of the award to Griffenhagen and Associates of Chicago, was given on April 16 and on the morning of the 17th the classification staff began its work in quarters set aside for it in the offices of the commission. Since then a staff of from eight to ten people have been engaged on the work and a classification questionnaire is in the course of distribution to all employes whose positions are covered. An organization study is also being made of each department in which the standardization work occurs.

It is too early as yet to make any prophecies as to the results which will be obtained, but present circumstances make the commission feel confident that the classification and standardization will be brought to a successful conclusion and that it will prove of great benefit to the city of Philadelphia.

A FEDERAL DEPARTMENT OF PUBLIC WORKS—A MOVE FOR ECONOMY

BY CHARLES WHITING BAKER

Consulting Engineer, New York City

FOR many years people have talked about the wasteful way in which our government business is carried on. At various times plans for reform have been discussed. A year ago a group of progressive engineers and business men concluded that it was time to cease talking and act. A number of these men had been brought in close touch with the governmental office during the war, and had in that way come to realize how much needless waste and duplication was going on in government work, merely because the government had not organized its business on the systematic plan adopted in private business.

These men knew also that individual effort toward government reform is futile. The only way to accomplish results in this field is to create an organization with the authority and backing to stay on the job and keep everlastingly at it until success is attained.

A beginning in the way of organization was made in April, 1919, when a national convention was held in Chicago, attended by delegates from 74 different societies of engineers, architects, constructors, manufacturers and business men. The organizations represented in that convention have a total membership of over 100,000.

At this convention there was formed the National Public Works Department Association with the object of creating in the Federal Government a Department of Public Works to carry on in an efficient and systematic man-

ner the work which the government is now carrying on through nearly 40 independent bureaus, scattered through nine separate departments, working with rivalry of each other instead of co-operation, duplicating each other's work, and spending the taxpayers' money in multitudes of ways that yield no public benefit.

There is a common belief that government work is wasteful and extravagant because of graft, both large and petty, because of extravagant salaries, and because of political appointments. This is an error. Uncle Sam pays lower wages and salaries than any private employer. The government employes are honest and most of them are diligent. The reason why government business is prodigally wasteful was well explained by Secretary Franklin Lane in his published statement on retiring from office last winter. There is no intelligent planning what to do and what not to do; there is no organization and direction to compel co-operation, cut down overhead expenses, abolish useless work.

The project of the National Public Works Department Association is to take all the important engineering and construction work which the government is now doing and bring it all into one department, under one head, where modern business methods for system and economy can be applied.

Few realize the enormous outlay which the government is now making on public works. The appropriations for architectural and public work func-

tions by congress for the present fiscal year total nearly 650,000,000 dollars. The departmental estimates for the year following are nearly 790,000,000 dollars. A country-wide cry is going up for economy in federal expenditure so that the pressure of taxes upon business and industry can be removed. Surely the best way to economize is by cutting out needless waste; and this is the aim of the Department of Public Works Association.

A PRACTICABLE REFORM

It would be perfectly easy to plan a reform in the government business which would be admirable from the point of view of the business systematizer, but which would arouse powerful antagonists at the start and would be impossible to pass through congress. Those who planned the Public Works Department reform have worked in close co-operation with leading congressmen and with the men at the heads of federal departments and bureaus. The plan adopted does not create a new federal department and thereby add another member to the President's cabinet. It merely takes the Department of the Interior, whose name to-day has wholly lost the significance it once had, and changes its name to the Department of Public Works. In this department there are already such important public works bureaus as the Reclamation Service, the Bureau of Mines, the Geological Survey, and the Alaskan Engineering Commission. There would be brought into this department such other federal public works bureaus as the construction of public buildings, which is now carried on—for some inscrutable reason—by the Treasury Department; the improvement of rivers and harbors, now carried on by the War Department; and the building of highways,

now in the Department of Agriculture. For the present these and other public works bureaus would be merely grouped in the Department of Public Works, retaining their separate organization and personnel, which are in many cases governed by special statutes. After this first step was taken and these bureaus were under one head the next and logical step would be the establishment of co-operation between them and the elimination of useless work.

A concise statement of the need for this reform was made by Gen. R. C. Marshall, chief of the construction division of the army, in his address at the national convention of the Public Works Department Association, held in Washington in January. He said:

"There are at the present time 27 separate and distinct federal agencies in the construction of the public buildings. There are 16 separate government departments building roads, and 19 which in one way or another have to do with hydraulics, river and harbor work. No two of these agencies are co-ordinated.

"The standards in one department vary greatly from those in another, and the methods employed in construction and the detailed requirements of the mass of specifications emanating from these different sources are too complex, too involved, for any normal man to differentiate between them.

"The inevitable result is that the government pays the bill in the loss of time, in high bids, and in a confusion of tongues worse than that which stopped man's most ambitious and daring building scheme, the record of which may be found in the eleventh chapter of Genesis.

"The trend of the times is toward simplification of control. If instead of separate outfits, each trying to do more or less the same things, each in competition with the other, each trespassing on the other's sacred prerogatives, each doing the same thing differently, some better than others, some as best they can,—if all of these activities can be centralized under a single control, having a definite and simplified specification, a single method of accounting, a single bureau of purchase, a single point of contact available to that unfortunate creature who now spends days and weeks chasing the buck from

one government department to another, there shall have been accomplished the most constructive step in the history of government work."

THE JONES-REAVIS BILL

In order to carry out the general plan of reform above outlined, a bill has been introduced in the House by Congressman Reavis of Nebraska, and in the Senate by Wesley L. Jones of Washington. The general purport of the bill has already been explained. The bill provides that "the secretary of public works shall by training and experience be qualified to administer the affairs of the department and evaluate the technical principles and operations involved in the work thereof."

To provide for continuity in the conduct of the department, notwithstanding changes in the administrative head, it is provided that there are to be four assistant secretaries of public works, appointed by the President, each of whom "shall be specially qualified by training and experience for the particular services over which he may have jurisdiction, and he shall be removed from office only for inefficiency and for conduct detrimental to the service, on charges duly made and adjudicated in accordance with law."

The bill has steadily gained friends in congress and throughout the country ever since its introduction. It is recognized as a measure of sound business common sense, needed for the public welfare, one on which all men can unite without distinction of party.

The Senate Committee on Public Lands gave a public hearing on the bill on February 11, at which a dozen prominent engineers and business men spoke in its favor, and no voice was raised to oppose it. In fact, it may be fairly said that the chief and substantially the only difficulty in the way of the measure is the inertia which

affects unfortunately all congressional legislation and makes it extremely difficult to secure action on even the most generally favored and important measures, except through the objectionable plan of riders on appropriation bills.

WHY THE ASSOCIATION?

It is this "condition and not a theory which confronts us," which makes necessary a working organization in order to push to success every measure of public welfare necessary for the betterment of our government.

One may say it ought not so to be. One may say that congress itself should originate and push to final passage the measures which from time to time become necessary to keep our government machine adjusted to changing conditions; but the fact is that congress has become so overwhelmed with its work, and so enmeshed in the multiplied difficulties that prevent its action that, broadly speaking, only those measures go through congress which have an organization behind them to push them through.

That is why an association had to be organized. That is why many men must contribute time and money in order to carry on the work of public education as to the importance of this measure.

Engineers have taken the lead in the organization of this movement and in carrying it forward, not because they as a class will receive benefit from it more than any other citizens, but because they are familiar with the waste and loss now going on and with the saving possible by introducing business methods of organization. The association makes its appeal for support, however, to all classes, and especially to the business men who are most directly affected by the present

enormous expenditure in carrying on the nation's business.

At the head of the association is Marshall O. Leighton, a prominent consulting engineer of Washington, D. C., who was for some years in the government service and is personally familiar with the conditions which the association aims to remedy. To make the organization country-wide in its scope, state chairmen have been appointed in nearly every state in the Union. In a number of the states these chairmen have so organized their forces that their congressional delegations are already informed concerning the measure and the public need for its success; and their co-operation in its passage is assured.

In many states strong local committees have been formed. In New York city, for example, a local committee has been organized with men of national prominence in business and finance. Adolph Lewisohn, head of the Miami Copper Co., is chairman and among the members are Henry R. Towne, head of the Yale-Towne Manufacturing Co. and late president of the merchants association, Alfred E. Marling, president of the chamber of commerce of the state of New York, Gano Dunn, president of the J. G. White Co., and T. Coleman Du Pont. On the executive committee of the national organization are such well-known men as J. Parke Channing of New York, Chas. F. Loweth of Chicago, C. E. Grunsky of San Francisco, Col. Peter Junkersfeld of Boston, and Philip N. Moore of St. Louis.

The movement has gained a host of friends since it was launched. Among

the prominent men who have endorsed it are Gen. Leonard Wood, Herbert Hoover, Gen. Geo. W. Goethals, former Secretary Franklin K. Lane, and Governor Frank O. Lowden of Illinois. It is of extreme interest to note that this movement proposes to effect in the Federal Government the same businesslike change that has been put into effect in a number of the states and has produced splendid results in saving the taxpayers' money. Its success in Illinois under Governor Lowden is especially noteworthy.

The United States Chamber of Commerce, after investigation by a special committee, has sent out a ballot on the question to its membership.

Finally, this movement is in its essence patriotic. If we wish to make our government one to be proud of, it is up to us to do the necessary things to remedy its imperfections. An inefficient government is necessarily an unstable government; and surely in the present world situation, Americans must realize that no effort or sacrifice is too great to keep our government stable.

The association is in need of funds to carry on its work and those who are generously contributing their time and energy to direct it, appeal for support to the men and women who are genuinely interested in our nation's welfare and willing to contribute toward it.

The association's offices are in the McLachlan Building, Washington, D. C. M. E. Ailes, vice-president of the Riggs National Bank, is its treasurer, and Major C. T. Chenery is its secretary.

THE NEBRASKA CONSTITUTIONAL CONVENTION

BY JOHN P. SENNING

University of Nebraska

"The mountain was in labor, and Jove was afraid; but it brought forth a mouse." . . . You may think this a too pessimistic view, but the author has given the facts from which to judge. :: ::

THE adjournment of the Nebraska constitutional convention on March 25, 1920 closed a session of seventy-four days. Three hundred and thirty-six proposals were submitted out of which forty-one were selected to be submitted to the people at a special election to be held September 21. The calling of a constitutional convention to remedy certain defects in the present constitution had long been a subject of earnest discussion. The present constitution was adopted in 1875 during a period of unrest and hard times. It is a document framed for a pioneer state and for many years has seriously hampered the state government by its obsolete provisions and difficulty of amendment. Unfortunately the present constitutional convention was also called at a time when social and economic conditions have produced general distrust and unrest and, as in 1875, current issues are reflected both in the amendments proposed and those adopted.

THE LEGISLATURE

A brief survey of the most important points considered by the convention will best illustrate the worth of the work done. As to the legislature and legislative power many changes were proposed but few adopted. There was a strong feeling among the delegates

that the patent defects of the bicamera system should be corrected. Proposals were introduced to eliminate the senate and create a single house legislature of about sixty members, but the proposition was defeated on the ground that the people were not ready for such a sweeping innovation. The amendment finally adopted is a step in a backward direction for it provides that the membership in the senate may be increased from its present number, thirty-three, to fifty, just one-half the size of the lower house. The salary of senators and representatives is to be \$800 for a regular session, instead of \$600 as at present, and \$10 a day for a special session, though the total amount for a special session cannot exceed \$100.

In procedure three items should be noted. The old provision that the minimum length of a regular session must be sixty days has been eliminated, making it possible for a legislature to meet for a shorter period if the volume of business is not great enough to warrant spending more than two months upon it. It has long been apparent that conference reports and amendments to important bills have been passed during the closing days of the session when there was not a full attendance. The convention proposes to remedy that evil by providing that conference committee reports and

amendments shall be concurred in by the same vote as that required for the passage of the original bill. Within the past two years, besides a regular session of approximately ninety days, two special sessions had to be called, one to ratify the federal suffrage amendment and the other to enable Douglas County to issue bonds to rebuild its court house which had been seriously damaged by a mob. Except for the provision that bills must be read on three separate days the business of each special session could have easily been transacted in one day. The experience of these two sessions together with the common practice of ignoring the provision during regular sessions emphasized the need of changing that portion of the constitution which requires that bills must be read on three different days. This section has therefore been eliminated, leaving the time intervening between the first and final reading of a bill to be determined by the rules.

THE INITIATIVE AND REFERENDUM

As in every constitutional convention of recent date the initiative and referendum came in for a share of attention. Nebraska adopted the initiative and referendum amendments in 1912, but the experience of eight years has revealed certain defects in these provisions. One example may suffice for explanation. During the summer of 1919 petitions were circulated to secure a referendum upon the civil administrative code. It was impracticable to attach a copy of the law, which contained several hundred pages, to each petition. The circulators satisfied themselves by attaching a few general statements concerning the bill to the petition and in that manner secured a sufficient number of signatures. Such a practice seemed to be in open

conflict with express statutory provisions that the entire law should be attached to the petition. The court, however, held, in the mandamus proceedings to compel the secretary of state to receive the petitions, that the spirit of the constitution should control. The matter of fictitious signatures was also discussed. It was suggested that a referendum petition should be signed in the presence of an officer; that instead of soliciting signatures among the electorate, those interested in the referendum should go to a central office and sign the petition in the presence of a designated official. The net result of many hours spent on the initiative and referendum was (1) the reduction of the number of signatures from 10 per cent to 7 per cent and (2) that the title of the law only need be attached to the petition.

ADMINISTRATIVE REORGANIZATION

In executive organization the short ballot idea was regarded with scant favor by the convention. Three distinct proposals modifying the present executive and administrative system were introduced. One called for the election of the governor and a board of six directors and for the creation of seven departments. The directors were to be elected by districts and they, with the governor, were to make all appointments. A second provided for the creation of ten departments. The governor, lieutenant governor, auditor, and treasurer were to be elected by the people and were to appoint the heads of the various departments. A third left on the ballot only the governor, the lieutenant governor and auditor. Near the close of the convention a fourth proposal was brought in by the committee on executive reorganization which disregarded the provisions of the first two and provided for the election

of four executive officers, giving the governor power to appoint all others. By this time such a state of feeling had developed among the various leaders that not even a compromise proposal was possible. The amendment to be submitted to the people, therefore, retains all the present state officers, who shall serve for a term of two years, except the superintendent of public instruction whose term of office shall be four years. An important appointive officer, the tax commissioner, is added to the present list. He is to be appointed by the governor with the advice and consent of the senate.

Two provisions of the present constitution which perhaps were used with better effect than any others to convince the people of the wisdom of calling a constitutional convention are the one which prevents the creation of additional executive offices and the other which makes "no allowance for clerk hire in the offices of the superintendent of public instruction and attorney general." To keep within the limits of the constitution, deputies, boards and commissions have been created with one of the executive officers, usually the governor, at the head. By a ruling of the supreme court it was decided that "clerk" did not mean "stenographer," but subterfuges have been most unsatisfactory. The proposed amendments eliminate the clause concerning "clerk hire" and allow the creation of new executive offices by a vote of two-thirds majority of all members elected to the senate and house. The heads of the new departments are to be appointed by the governor and the appointments ratified by a majority of the members elected to the upper and lower house in joint session. It is to be noted that the convention made the appointive power of the governor subject to modified restrictions. The tax commis-

sioner is appointed by the governor with the advice and consent of the senate; the heads of the new departments as given above. The office force within these departments are appointed by the department heads. The appointments to the board of control require the consent of two-thirds of the members elected to the senate; and judicial officers appointed to fill vacancies require no confirmation at all.

Popular distrust of a strong executive is reflected in the budget proposal, which adds very little to the statutory budget which became a law in 1915. The governor is required to prepare a budget and to have expert assistance in so doing, subject to the regulations provided by law. His estimates as submitted in the itemized budget cannot be increased except by a three-fifths vote of the legislature. No provision is made for supplementary appropriations. In one respect the governor's power has actually been reduced, namely, his pardoning power. Instead of leaving pardons to the governor alone a board has been created consisting of the governor, the secretary of state and attorney general, which has complete control over all pardons, paroles and commutations.

Regulation of salary, which heretofore was fixed in the constitution, is to be left to the legislature, though changes cannot be made more often than once in eight years. For the present the convention has adopted a scale giving the governor \$7,500, the other state officers except the lieutenant governor, \$5,000, and the lieutenant governor twice the compensation of a state senator. Members of the railway commission whose duties have been enlarged to take in all public service corporations are to receive \$7,500 each, an increase of \$4,500 over their present salary.

THE JUDICIARY DEPARTMENT

The chief changes proposed in the judiciary of the state are with a view of expediting business. It is impossible for the supreme court to keep its docket up to date. Some years ago a supreme court commission was created but in spite of this extra assistance, the court has been unable to keep up with the volume of business which comes from the lower courts. It is proposed that the supreme court sit in sections and call to its assistance judges of the district court. A most notable change suggested is that which grants judges of the supreme court power to make rules of procedure for the respective grades of courts. This provision, if carried out, will no doubt go far toward eliminating the technicalities and rules established by law and thus shorten the route any case may take from its original hearing to final decision. Cases brought before the court involving the constitutionality of the law will require the concurrence of five out of the seven judges of the supreme court. The term of office remains unchanged. The methods of election are modified also. Instead of electing supreme judges at large, as heretofore, the new proposal makes all except the chief justice elected by individual districts. The idea of election by districts had a strong hold upon the convention, and it is provided that the six regents of the state university be elected by districts. Attempts were made to have the three members of the railway commission also elected by districts; fortunately this proposal failed of adoption.

TAXATION AND FINANCE

The amendments to the article on taxation and revenue do not reflect the highest credit upon the convention. In the campaign before the convention no

subject was as much discussed as the tax amendments to the constitution. In the convention two extreme views were represented. One sought to leave the entire question of taxation to the legislature as does Connecticut; and the other contended for a detailed classification. The result was a compromise between the two views. The present constitution contains only a general property tax provision. Valuation must be uniform as to class. The new proposal retains this portion but adds "that taxes other than property taxes may be authorized by law." Household goods to the value of \$200 are exempted from taxation. The legislature has no discretion whatever in making any exemptions. County authorities are limited to an aggregate assessment of fifty cents per one hundred dollars actual valuation, unless authorized by vote of the people in order to meet an emergency. The convention missed a great opportunity in not standing for a real progressive tax provision.

CORPORATIONS

The amount of attention paid to corporations in the convention clearly shows that Nebraska has entered upon a new stage of development. It is no longer a purely agricultural state. Both private and public corporations are great economic factors of which the constitutional convention had to take cognizance. As to private corporations the provision in the present constitution is purely negative. The new proposal is mandatory upon the legislature to enact adequate laws for the development of corporations, domestic and foreign, under proper restrictions designed to prevent reckless speculation, monopoly and discrimination. Ample provision is made for the development of co-operative companies and

associations along the line of co-operative principles. Public utility corporations will be required to render account to the railway commission as the law may direct or may be ordered by the commission. They may consolidate their stock when authorized by the railway commission and by law may be required to facilitate an exchange of business. The present constitution prohibits consolidation altogether. Dividends can be declared only out of net earnings which are also defined. The new proposal applies to all public utilities and is much more explicit than the present provision which related only to railroads.

LOCAL GOVERNMENT

Counties and cities, as local governments, received scant attention at the hands of the convention. County government as such was left untouched. The existing statute regarding change of boundary is the only proposal on counties to be submitted to the voters. The proposal relating to cities merely facilitates the method by which cities of 100,000 inhabitants and over may obtain home rule charters. Omaha is the only city to which this can apply. Heretofore if a city of that class adopted the principle of home rule it was necessary to call into existence the machinery of a convention to adopt a new charter. The new amendment makes such a process unnecessary. If a city decides in favor of home rule the existing charter is declared to be a home rule charter.

INDUSTRIAL RELATIONS

There is probably no action taken by the convention which will cause more discussion or meet with greater opposition than the proposal to create an industrial commission to regulate

and settle differences between employers and employees. The language of this section is all inclusive. "Laws may be enacted providing for the investigation, submission and determination of controversies between employers and employees in any business or vocation affected with a public interest and for the prevention of unfair business practices and unconscionable gains in any business or vocation affecting the public welfare. An industrial commission may be created for the purpose of administering such laws, and appeals shall lie to the supreme court from the final orders and judgments of such commission."

SUFFRAGE AND EDUCATION

The equal suffrage amendment was passed with no opposition. Thus the struggle begun by the submission of an amendment in 1882 was finally ended. Provision has also been made for the exercise of the right of suffrage on the part of men in the service of the army or navy.

Proposals adopted by the convention in regard to education effected only minor changes. Educational leaders in the state presented an elaborate plan early in the session for an educational reorganization modelled on the New York system. Another proposal was introduced making permanent appropriations for educational institutions. Out of a wealth of discussion the following meagre results emerged—the normal schools were placed under a single board appointed by the governor, a provision which is already on the statute books; the term of office of the superintendent of public instruction was increased from two to four years; school lands, if the legislature shall decree that any shall pass out of the hands of the state, shall be sold only at public auction.

AN IMPROVED AMENDING PROCESS

One of the most commendatory amendments worked out by the convention is that which facilitates the process of amending the constitution. According to the existing provision a majority of all the votes cast at the election is necessary to ratify an amendment submitted to the voters. The new proposal places the amendment upon a separate ballot, and if it receives a majority of those voting on the proposition, provided that is 35 per cent of the vote cast, it is declared adopted. This section opens the way to future changes in the constitution and will enable the people to enact those provisions which the convention overlooked.

WAS THE CONVENTION WORTH WHILE?

On the whole the action of the Nebraska convention was very conservative. The changes in the structure of both legislative and administrative systems ignore entirely modern scientific principles of government. Whether the amendments adopted by the convention in respect to the judiciary are an improvement upon the old is merely a matter of individual opinion. The delegates were more interested in correcting certain existing abuses than in building a constitution for the future. Recent writers have observed that constitutional conventions are influenced primarily by current events. As a result matter is incorporated into the constitution which is private and not

public law. The Nebraska convention was no exception to this rule. For example the section making English the official language was merely the outcome of a long struggle to compel the use of English in the schools. Again the amendment that the legislature shall regulate the acquisition, enjoyment and descent of property of aliens is an aftermath of the reaction against aliens during the late war. The present unrest over labor conditions resulted in a minimum wage amendment being submitted and also in the creation of an industrial commission. The reorganization of the administrative system in 1919 encountered serious opposition and probably was responsible for the defeat of the short ballot propositions in the convention. The creation of a board of pardons was due to the widespread discussion of the parole of a prisoner by the president of the senate acting as governor during the absence from the state of both governor and lieutenant governor. The unwillingness of the convention to build well by modelling a constitution which would be adequate for the future development of the state and by bringing into existence a responsible government cannot be attributed to any partisan feeling. Time and circumstances only are responsible for any inadequacies in the proposed revision of the Nebraska constitution. If the proposal facilitating amendment is adopted by the people there is no doubt that the shortcoming of the present constitutional convention will soon be corrected.

LAW ENFORCEMENT AGAINST PROSTITUTION FROM THE POINT OF VIEW OF THE PUBLIC OFFICIAL

BY BASCOM JOHNSON

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I

LAW enforcement is that branch of the social hygiene movement which attempts to enforce so much of the standard of sex conduct, existing in a given place at a given time, as has been written into the statutes. It stands to reason that law enforcement cannot rise higher than its source. If the standard of a given community is low, the statutes are sure to be weak or the machinery for their enforcement inadequate. If the standard is fairly high, but the public has not bestirred itself sufficiently to secure statutes which adequately express that standard or the personnel able to enforce it, the result is largely the same.

Law enforcement then is dependent directly upon the conscience and social instinct of the community. We all know pretty much what the ideal standard ought to be and why. Religion, education, and science have taught us, as the result of centuries of experience, that the sex instinct finds its noblest expression in monogamous marriage, and that extra-marital relations are disintegrating to the character of the individual and the structure of society, and are fraught with devastating possibilities for the public health.

Prostitution has existed because society, while recognizing the lofty idealism of this standard, has, until recently, never believed it to be practicable. The doctrine of sex necessity

for men, with the resulting double standard of morals, has furnished the motive for the demand, and the supply has followed in accordance with economic law.

All the many schemes of toleration of prostitution in districts and otherwise, even when outlawed, are but efforts to square our practice with the doctrine of sex necessity. As long as we believed in sex necessity, laws against the act of prostitution continued to be aimed at or enforced, if at all, against women only. Fortunately for future progress, this doctrine has been exploded in as authoritative a manner as possible.

On May 7, 1917, the General Medical Board of the Council of National Defense stated that continence was not incompatible with health and this principle was approved by the American Medical Association at its meeting on June 7, 1917. The Army has specifically adopted this principle as the basis of their program for the prevention of venereal disease among the military forces. (See G. O. 135 War Department.) This has also been adopted in principle by the Sixth Division of the Navy (see paragraph 203 of its recent publication on morale).

This authoritative pronouncement, together with our war-gained knowledge and experience, has made the future task of local public officials in this field immensely easier. Such officials can count on a much more

intelligent and favorable opinion as to the necessity of maintaining our gains and also making further progress.

The pre-war general support of measures aimed at the commercialized aspects of prostitution is now well nigh unanimous. There is a growing understanding of the true basis of interest of the state in promiscuous sex relations and the extent to which the state can prevent such relations by law enforcement.

By commercialized aspects of prostitution, I mean the activities of third parties to exploit or protect prostitution for profit. Such exploiters and protectors are: madams, pimps and procurers; owners and operators of hotels, rooming houses and apartments; chauffeurs, bell-boys, dance-hall and cabaret proprietors, who cater to assignation or prostitution; politicians, who encourage or wink at violations of the laws for political or financial profit; shyster lawyers, bail-bond sharks and doctors, who, in the name of justice or public health, defeat justice, corrupt officials, increase disease, and line their pockets with blood money.

II

We are all agreed that most of the parasites above enumerated are human vermin, which only the laws of humanity prevent us from exterminating. The prostitute herself and her man customer occupy a somewhat different plane. There is still some honest difference of opinion as to how far the state is justified in interfering with this relation. I believe most of this difference is the result of differences in definition of terms.

The sexual conduct of the individual becomes a matter of public concern and, therefore, of legal regulation, only when it seriously affects the sanction of monogamous marriage, or the integ-

riety of the family or the public health.

From all three points of view, the most serious menace to the public welfare in sexual conduct is promiscuity. From the public health point of view, promiscuity may fairly be said to cause the vast majority of all venereal disease.

That female is the most dangerous of sex delinquent women who is most promiscuous, because she is most likely to be diseased and to transmit disease, and this regardless of whether she demands money or its equivalent or not. Similarly, the male who most frequently consorts with promiscuous females is the most dangerous of sex delinquent males. In fact this type of male is probably a greater menace to public health than the promiscuous female, because he is the immediate source of many infections of innocent wives and children, in addition to infecting the other women with whom he consorts.

It was because prostitutes have always been the most promiscuous persons of either sex, that laws aimed at their activities and the activities of the third parties who promoted or exploited prostitution have been passed nearly everywhere in this country and have found a large measure of public support. While the enforcement of such laws has eliminated red light districts and open houses of prostitution, and has greatly reduced the total number of contacts of prostitutes and, consequently, the amount of disease that they spread, those laws have yet failed to accomplish the results which we have a right to expect from the expenditure of so much time and money on their enforcement.

The reason is not far to seek. Until 1919, when a standard form of law on this subject was prepared and presented to the legislatures of the several states by the federal govern-

ment, prostitution was, with few exceptions, an offense of which a female only could be guilty. Generally speaking also the acceptance of money by the prostitute was a necessary ingredient of her offense. It is axiomatic that, as long as men can with impunity buy such services from women, there will always be found women, foolish, ignorant or lazy enough to adopt this apparently easy way out of life's difficulties.

Furthermore, as the life of the professional prostitute becomes more and more hazardous, many of them are forced to go to work, and the amateurs are retaining their jobs for the same reason. Under the disguise of honest working girls, many such women are supplementing their incomes, or securing the luxuries which they think are necessary to them, by building up what they fondly believe to be a select clientele. They are careful when taking a new customer not to ask for or take money. They very often accept gifts of jewelry or wearing apparel, theatre parties or expensive meals, either as a test or as a real *quid pro quo*. How far the activities of such amateur prostitutes make up for the reduction in the activities of the professionals, no one knows. The doctors testify, however, that a large number of their men patients claim to have been infected by such amateurs.

It became obvious, therefore, if further progress was to be made, that the definition of prostitution would have to be enlarged to include all males whose payments make prostitution possible, and all males and females sexually indiscriminate, even though the element of hire, which usually exists in some form, could not be proven. Following the recommendation of the Federal Government in this regard, the legislatures of eleven states have remodeled their prostitution laws. This remodeled law not only

attempts to reach all promiscuous sex delinquents, but sharpens and renders more serviceable the legal weapons against the third parties to prostitution, particularly the chauffeur, that most modern and elusive of go-betweens.¹

Since this standard law against prostitution was prepared and adopted by these states, as above indicated, certain questions have arisen concerning the relations of police, courts, and health departments in handling diseased sex offenders, that necessitate a further general discussion. In our war-time desire to protect the public health, at all costs, there arose some confusion as to the real function of these different departments and the true basis for their co-operation. Police and courts are charged with the problem of delinquency and health departments with the problem of disease. Neither group is equipped to handle the problem of the other. If either is charged with duties pertaining to the other, we may find people being sent to jail for being diseased, or put in the hospital for committing crime. The necessity for close co-operation between the law enforcing and health departments has always been so obvious, however, that mistaken zeal in this direction is understandable.

The following elaboration of that portion of the standard law against prostitution relating to this subject is therefore suggested as providing a safe and real basis of such necessary co-operation:

¹ Copy of this law can be secured from the American Social Hygiene Association. The eleven states above referred to are: Connecticut, Delaware, Maine, Maryland, New Hampshire, North Carolina, North Dakota, Ohio, Rhode Island, Vermont, Wisconsin. New York and Virginia also adopted most of the provisions of this law.

The name and place of detention of any person charged with a violation of laws against prostitution shall immediately be reported in writing to the district or city board of health by the department making the arrest.

No person so charged shall be discharged from custody on bail or otherwise until 12 hours after the receipt by such district or city health board of the name and place of detention of such person so charged.

It shall thereupon be the duty of such district or city health board to determine after a hearing whether there are reasonable grounds for believing that such person is infected with a venereal disease, or has been exposed thereto.

If such district or city health board shall determine that such reasonable grounds exist, it shall be the duty of such board to cause such person to be examined immediately for such venereal disease, by a physician competent to determine the existence of such disease.

In order to make the findings above outlined, the district or city board of health shall have the power to detain any such person so charged for a period not exceeding 48 hours, after expiration of the 12 hours following the receipt by such board of the notice from the department making the arrest.

Any such person found to have a venereal disease in an infectious form shall be treated under quarantine or at a clinic or otherwise, as such district or city health board may determine shall best protect the public health.

Such infected person shall pay for such treatment, if able to do so, but if not, such medical treatment shall be at the expense of the municipality or county.

It is hoped that the above suggestions will be helpful in providing a mark at which to shoot. It is clearly realized, however, that some time and considerable appropriations will be necessary for the passage of such laws and the establishment of the machinery necessary to enforce them.

III

A considerable field experience has shown me that, when sitting down with the officials of any city, it does not do to confine the discussion to

what might be accomplished with the best possible legal tools and machinery and plenty of money to grease the wheels. Many communities are taxed and bonded to the limit. Their state legislatures will not meet for a year or perhaps two years, and their city charters sometimes do not permit them to pass ordinances broad enough to cover the points in question, until enabling action has been taken by the state legislatures.

The question I have often been asked by such officials is: What can we do now with the laws and funds we have and the personnel and institutions that those funds will provide? In order to answer this question here, it will be necessary to visualize a typical city with its laws and machinery.

Without attempting to be scientifically and statistically exact, such a city would contain about 30,000 population. (There were 191 cities with this or larger population according to the census of 1910.) Such cities have a separate city and county government, with somewhat overlapping jurisdictions. The city executive and legislative departments are elective and mutually independent. The city attorney and police court judges are appointed by the executive, and to some extent, therefore, the general policies of this branch of the city government may be said to be controlled by the executive. The executive also appoints the heads of police and health departments.

The state laws which are available to such a city are:

1. The Injunction and Abatement Law. (Exists in 38 states.)
2. Laws or regulations of state boards of health in pursuance of law requiring the reporting by physicians to the board of health of cases of venereal disease, the sources of their infection, and permitting the examination of suspected carriers and their treatment under

solation, if they cannot be trusted not to infect the public. (Exist in 43 states.)

3. Laws penalizing prostitutes or common prostitutes. (Exist in 28 states to which may be added the 11 states having standard form of law against prostitution, making 39 in all.)

4. Laws penalizing those who keep disorderly houses or houses of prostitution. (Exist in 45 states.)

5. So-called white slave or compulsory prostitution laws. This law usually penalizes pimps and procurers and prohibits intra-state transportation for purposes of prostitution. (Exist in adequate form in 44 states.)

6. Laws against rape. (Exist in 48 states.)

7. Age of consent laws, heavily penalizing men for sexual relations with young girls, even though they consent to such relations. (42 states fix the age at 16 or more.)

8. Single act of adultery penalized. (28 states.)

Most cities have re-enacted these state laws as city ordinances, and some have ordinances on one or more subjects which are not covered by state laws. This is true particularly of laws against soliciting.

As regards personnel, the city attorney and the health officer are unable to live on their salaries, and hence give only a part of their time to the city. The chief of police gives full time, but has lost some of his best men through the high cost of living and industrial competition. His budget is often insufficient to employ plain clothes detectives and, where this is possible, he has no funds to give them expense accounts which are essential in making headway against clandestine prostitution.

The city and county jails are often insanitary and thoroughly inadequate. There is no detention house for women and often not even a fit place for temporary confinement of juveniles. State reformatories and training schools for delinquents are either non-existent, or overcrowded, and too little has been done for the diagnosis and

treatment of physically or mentally diseased sex offenders. Lastly, probation for adults has not begun and probation for juveniles is still inadequate. Confronted with such a situation, which I believe to be typical of the smaller cities and only slightly less so of the larger ones, the social hygiene consultant will be somewhat aghast, but immensely more charitable toward the officials.

Further study of the situation will, however, reveal the silver lining to the clouds and the way out will become steadily clearer. This silver lining, as has been indicated above, is the greatly increased public knowledge and interest in the problem over pre-war times and the way out is further public education, organization, and team work under authoritative leadership.

The reason for such measure of success as we achieved during the war, was the authoritative leadership of the federal government, and the co-ordination of efforts by nation, state and city. There is no official so well adapted to lead as the mayor. He is the official spokesman of the city and its recognized head. No one so well as he can weld the various local officials charged with the execution of the laws into a compact fighting team; no one better than he can inform public opinion, organize it and secure from all sources, the co-operation, the funds, and the personnel so badly needed. The first step for such a mayor to take should be to call in his chief of police and direct him to clean up all open and flagrant conditions, such as red light districts, open houses of prostitution and open soliciting in public places. These conditions exist only in violation of state or local laws, as above indicated. They cannot exist without the knowledge and consent of the police, as every chief of police in the

country knows and will admit if he is honest.

The city and county jails will be adequate to hold the keepers of open houses who persist in operating. They will not persist, however, if they know the mayor means business, but will leave town or try to operate somewhere else in the city less openly. The prostitutes will also move and their operations and their soliciting will become much more guarded. These keepers, owners and managers of property and every other go-between and parasite, who persist in exploiting, protecting or catering to prostitution after a fair warning, should be prosecuted and hounded to the limit of the law.

Where the use of property does not amount to keeping a house used exclusively for purposes of prostitution, and thus bring the place under the operations of the criminal law, the evidence should be placed in the hands of the county attorney and request made that he enjoin its use for purposes of prostitution, under the injunction and abatement law. The county attorney will not usually refuse such a request from the mayor, but, if he does, the mayor, as a citizen, can institute such a suit in his own name and direct the city attorney to prosecute it.

By concentrating, in the beginning, all efforts against the exploiters and protectors of prostitution, prostitution as a business can be wellnigh ruined. The prostitute herself and her man customer will find it more and more difficult to secure a safe place to operate. Eventually, prostitution will become so clandestine that the local police will not be able to secure evidence. Because of the lack of an adequate plain clothes squad and the expense account necessary for their fight against clandestine prostitution,

this point will soon be reached. No city can afford to stop there, as much clandestine prostitution can and does exist in a city so handicapped.

IV

The next step of the mayor should be to educate and organize his public. He should report to his constituents, through the press, the pulpit, conferences with chambers of commerce, rotary clubs, women's clubs, in fact through every avenue of publicity open to him or which he could pry open, the facts concerning prostitution and its relation to his city, what it means in broken homes, economic loss, and racial deterioration. He should report his efforts and the fact that his further progress is blocked for lack of good laws, sufficient funds and adequate personnel and institutions.

The government's standard form of law against prostitution should be advocated. The law reaches the third party in prostitution, the prostitute herself and her man customer, eliminates fines, and provides for indeterminate sentences of such minimum length as to afford opportunity for rehabilitation. If the city council can pass such a law as a city ordinance, the citizens should be educated and organized by the mayor to demand it. The councils will pass it if they think the citizens want it. If the city councils cannot pass it all, they should pass as much of it as they can. If they do nothing else, they should pass an ordinance making it an offense for a man to solicit a woman or to pay or offer to pay her anything of value to yield herself to him.

At the next session of the state legislature, the mayor and his organization of citizens should endeavor to secure the enactment of the rest of this law. He should secure active assist-

ance from the national and state agencies above listed in this legislative campaign. The federal assistance should be of particularly great value.

Having secured from the city council the right to punish men for sex offenses, the mayor will find an immediate decrease in men to punish and the prostitutes a perceptible falling off in the number of their customers. The mayor should then ask for funds from the citizens. Part of them should be used for the employment of plain clothes policemen, and an expense account to enable them to meet the expenses necessary in the gathering of evidence sufficient to convict. A city-wide campaign against the operations of prostitutes and their customers should then be instituted. In addition, women police should be employed to do preventive work with young girls. These police women should supervise the conduct of public dance halls and other commercialized amusements. They should investigate and supervise employment conditions for girls. They should patrol the streets and public parks and they should be especially valuable in investigating and reporting to the judge the facts concerning all girls and women offenders prior to sentence.

Adult and juvenile probation should be put on a sound basis by the employment of sufficient experienced and high grade probation officers, able to assist those deemed worthy of probation, in securing employment, change of environment, or adjustment of home or economic conditions.

Lastly, the jails should be renovated and made sanitary for men and detention homes provided for women and girls. In all institutions provision should be made through the state or local board of health for physical and mental examinations and treatment of

inmates and some useful employment while confined. As heretofore indicated the police should immediately notify the health department of every arrest made for a sex offense, so that the health department may have opportunity to examine and isolate carriers of venereal disease if deemed necessary to protect the public health.

The jails and detention homes being merely temporary makeshifts, the mayor should include in his state legislative campaign a demand for a state reformatory for women and a prison farm for men, training schools for boys and girls and feeble-minded colonies for the permanent custodial care of sex offenders who are so mentally deficient as to be non-reformable or who cannot be benefited by probation. In this connection, the National Society of Mental Hygiene has approved the suggestion that all courts handling such cases should have made available to them psychiatric service for the routine mental examination of sex offenders.

Reaction against this program will be prevented by taking the greatest care in the selection of personnel. Strict instructions should also be issued to policemen, and enforced, against provoking or procuring violations of the law. Much antagonism will be prevented if the owners of hotels, apartment houses, rooming houses, and dance halls are called into conference by the mayor in advance, the program explained and their cooperation sought. Often it is possible to secure the organization of hotel and other property owners' associations pledged to the adoption and enforcement by their own organization of police regulations regarding prostitution.

Trouble with such operators of property and taxicab companies or owners can often be obviated by installing a

system of licensing, inspection, and revocation of license for violation of law or regulations regarding prostitution. Telephone companies will often espouse a suggestion that they include in their service contracts a provision that proof of the use of the telephone to arrange an assignation automatically breaks the contract and permits the removal of the instrument.

The central idea, as is evident, of all these suggestions is that some one must lead, co-ordinate, and organize the community. Without this leadership team-work is impossible and results will not appear. Under such leadership and with only part of the program in operation, admitted exposures (prophylactic rate) of soldiers in a city of half a million decreased from 826.18

per thousand per year in October, 1917, to 218.03 in April, 1918, and to 39.65 in October, 1918. During the same time, the annual venereal rate among these troops decreased from 167.67 per thousand to 37.73 in April and to 6.61 in October.

In our system of government with its checks and balances, the tendency to pass the buck from one department of government to another is notorious. We have, however, shown entire willingness to follow our executives as long as they are right. There is no question about the eternal rightness of this program, its perfect practicability, and the great benefit that will flow from it to any community that can find a leader and has the courage to follow him.

THE URBAN AUTO PROBLEM

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This paper was the subject of much favorable comment when read before the National Conference on City Planning last April. Two discussions of it are appended. :: :: :: :: :: ::

THE problem of the automobile in the city may be analyzed under two heads:

A. The general problem which is also equally applicable to extra urban conditions.

B. Special urban problems.

The general problem (A) may be classified under

1. That due to the creation of a new instrument.
2. The growth of its use.
3. Its sympathetic exploitation.

All the general factors have applied to each means of transportation as it was evolved and can thus be approached from a historical standpoint with profit. Each new device introduced has first met with opposition.

The growth of every transportation innovation has been slow at first, then extremely rapid for a period, which has been succeeded by a gradual falling off as the market became saturated.

The growth of the automobile industry in the United States as a whole is shown by the following tabulation:

<i>Motor Car Registration</i>	
1914.....	1,711,339
1915.....	2,445,664
1916.....	3,512,996
1917.....	4,983,340
1918.....	6,146,617
1919.....	7,558,848
1920.....	8,500,000 estimated

The introduction of each new device has always resulted in stringent legal

regulation. In ancient Rome for example.

. . . and probably also in other large towns, it was necessary to restrict traveling in carriages to a few persons of high rank, owing to the narrowness and crowded state of the streets. For the same reason the transport of goods along the streets was forbidden during the ten hours between sunrise and sunset.¹

That the restriction of deliveries during daylight hours is equally modern is exemplified in the suggestion which was carefully considered by the New York city authorities only a few years ago of restricting all deliveries of coal to down-town Manhattan office buildings and of other commodities to a large extent to the night. A restriction was placed upon the use of coaches in London as early as 1635 when a law was passed forbidding the general and promiscuous use of them in London and Westminster, or the suburbs. Down almost to the present time automobiles have been excluded from certain parks and parkways, the Harlem River Speedway having been legally opened to traffic only as late as 1919. Control has from the earliest time been exercised over vehicles by means of licenses.

Vehicles were early restricted as to size and load. The Chicago ordinance limits the maximum load per axle to

¹Encyclopaedia Britannica, 9th Edition, Vol. V, p. 134.

24,000 pounds and the maximum load per inch width of tire to 1,000 pounds. The Cleveland and Detroit traffic regulations limit the width of a vehicle to a maximum of eight feet, six inches, and the Boston regulation limits their width to ten feet. That vehicles which do not use tracks are not peculiar in this respect is shown by the common practice of stipulating in franchises granted to street railroads that they shall be of "standard gauge."

Street width has grown so as to accommodate wider and wider vehicles (and probably largely because of such growth). The road leading from Naples to Pompeii is generally about fourteen feet wide and it is interesting at this day to measure the ruts worn by the chariot wheels which suddenly ceased operation in 79 A. D. These wheel tracks vary from three feet to three feet, six inches, apart, so that the estimated width of the vehicles themselves must have been about four feet, ten inches.

When Sir Christopher Wren prepared his recommendations for the rebuilding of London after the "Great Fire" it was recommended that:

The streets . . . be of three magnitudes; the three principal leading straight through the city, and one or two cross streets to be at least 90 feet wide; others 60 feet and lanes about 30 feet, excluding all narrow, dark alleys without thoroughfares and courts. The Exchange to stand free in the middle of a piazza and be as it were the nave or center of the town, from whence the 60 foot streets as so many ways should proceed to all principal parts of the city; . . . Many streets also to radiate upon the bridge. The streets of the first and second magnitude to be carried on as straight as possible and to center in four or five piazzas.¹

By 1790 when L'Enfant submitted his recommendations for the plan of Washington the streets were designed

with widths from 80 to 120 feet, while the avenues were to have widths varying from 120 to 160 feet.

Vehicle speed has always been limited, a 1669 Albany ordinance stipulating that:

It is Proclaimed y^t all Persons who enter y^e Citty with slees (sleighs) and horses, horseback or oyrwise (otherwise), shall not ride faster than foot-tap throughout y^e streets, upon Penalty of three shillings for each offense.²

A modern example of speed regulation is found in the Illinois state law (1911).

That parking regulations are in no sense modern is proven by the fact that hackney coaches were prohibited from standing in the streets of London as early as 1660, the law requiring them "to stay in the yards until they may be wanted."³ The regulations of the Detroit police department include a map showing the streets upon which parking is entirely prohibited and the limits of the district within which a time limit is placed. This limit varies with the street.

The location of the parked vehicle with reference to the curb is also generally stipulated, only parallel parking being permitted according to the Detroit ordinance although in certain specially designated parking places diagonal parking is permitted in the center of the street. The New York police regulations permit two lines of vehicles along the outer edge of certain streets and along the center line of other streets, while diagonal parking is permitted in other thoroughfares. Infractions of the Detroit rules makes the automobile subject to removal to an automobile pound.⁴

Due to the great growth in street traffic it has been found necessary in modern times to limit it in various

¹ Stratton, page 400.

² Gilbey, pp. 32-33.

⁴ Detroit Ordinance 680-A, Section 9.

¹ "Sir Christopher Wren and His Times" by James Elmes, London, 1852.

ways. One-way streets have proven themselves exceedingly effective and are growing rapidly in use in American cities. The Boston ordinance,¹ for example, stipulates that "between the hours of seven o'clock a.m. and six o'clock p.m., Sundays and legal holidays excepted, vehicles shall pass in but one direction in" certain specifically named streets.

Segregation is another device to which resort has been made, the best modern example being that found in the Borough of Manhattan, promulgated by the police department under authority of the charter in accordance with which during certain hours of the day commercial vehicles are not permitted to operate on certain streets except to make collections and deliveries while pleasure vehicles are similarly excluded from other thoroughfares.²

Private rights of way have long been the rule for trunk line railroads although the first railroads were built along the public highways in England and many in this country occupy public streets where they pass through communities. Street railroad corporations have generally occupied the public streets although in some instances, notably in St. Louis, they have acquired more or less extensive private rights of way. What is somewhat analogous to the latter practice but in this instance proposed for motors has been suggested in Los Angeles where a special high-speed motor truck highway has been designed to connect Los Angeles City with its harbor, the idea being that it would be set aside almost exclusively for the use of commercial vehicles operated be-

tween the destinations mentioned. Modern practice is leading to the diversion of steam railroads outside the built-up portions of cities through which they were originally permitted and often urged to pass when they were constructed.

In connection with the Lincoln Highway where it passes through Philadelphia, the 1918 Annual Report of the Bureau of Highways³ of that city remarks that a proposed cut-off will save six miles for all traffic going westward through Philadelphia.

Sympathetic exploitation has taken various directions. Telford (1757-1834) and Macadam (1756-1838) introduced the historical improvements in English highway construction. Practically no improvement had taken place from their day down to the beginning of the present century when better binders were introduced for macadam roads, largely due to the necessity of protecting the old water-bound macadam against the destructive action of automobile tires.

Largely through commercial initiative, special facilities have been provided as demands arose in the way of road houses, garages and repair shops, while civil authorities have assumed heavy burdens in the way of paving betterments, the widening of thoroughfares, the strengthening of bridges, the enlargement of street intersections, and in a few cases in the elimination of grade crossings. A notable example of the latter variety is seen in the Park Avenue bridge and the viaduct around the Grand Central station in New York which created a through thoroughfare of Park Avenue largely to relieve the congested traffic on Fifth Avenue.

Turning now to (B) the special urban problems,—they may be sub-

¹ City of Boston, Street Traffic Regulations and Rules for Driving, revised to October 1, 1919. Art. 8, Sec. 1.

² Circular No. 27, Police Dept., City of New York, August 23, 1918.

³ Page 52.

divided in character as to whether they apply principally to

- (1) passenger, or
- (2) commercial vehicles

and in each instance as to the conditions which surround the vehicles when

- (a) moving
- (b) standing.

As already mentioned, marked progress has been made in improving the surface conditions and the supporting power of pavements and marked increases in this direction will take place as fast as the pavements are relaid to make them conform to the present ordinance limitations in weight of vehicles. The character of pavement surface has been greatly improved during the past decade, largely to afford more comfort to riders in passenger vehicles, and future progress will doubtless continue in the same direction. These matters interest city planners from the fact that these betterments cost increasing amounts of money and the economics of the problem always limits the careful designer.

Note has been made of the growth in street width which has taken place in the past. This experience evidently points to provision for even greater future accommodations to take care of the present maximum size of vehicles in their greatly augmented future numbers. Before it is possible to determine the proper width of future streets it is necessary to consider present and future operating conditions.

Experience derived from traffic counts has shown that the average width of road is one vehicle per foot of present day maximum minute is the city conditions. Under normal streets occur at short intervals where traffic is permitted to pass in both directions on main arterial streets, subject only to normal cross control. The creation of one-way streets (which it has been noted,

growing rapidly) is believed from careful observation to provide for fully double this unit quantity of travel, while a more radical innovation in street traffic control, it is believed, will add at least another equal increment to the potential traffic of existing streets. This control device may be explained briefly by citing the conditions which would exist were companies of soldiers with considerable intervals between each company to be marched up and down any street. Obviously ample opportunity would exist for those using the cross streets to turn into the thoroughfare through which the soldiers were marching, joining companies marching in either direction as was desired through the gaps between companies and when the gaps coincided at any street intersection, cross traffic could occur without impediment. In order to make the device effective it will probably be necessary to install automatic signals at frequent intervals which will be operated from some central synchronizing station very much as block signals are now automatically operated on the railroads. It may then be stated that by the introduction of improved traffic regulations, existing streets may be employed to at least three times their present capacity and city planners should take this into account in designing the major street systems of old and new communities.

In order to provide for changes of use, the elastic street has been suggested. Thus far the elasticity has been horizontal. There is no reason, however, to preclude vertical elasticity for a further segregation of street use in existing congested districts. Steps in this direction have already been taken in the construction of rapid transit lines upon elevated structures and in subways, thus removing one of the principal elements of street traffic.

In a few instances, double level vehicle streets have been constructed, generally in connection with the erection of viaducts being constructed through a street in a valley but in such manner as not to preclude a continuation of its use for traffic purposes. Examples of this kind are the Riverside viaduct where it crosses the Manhattan valley in Manhattan and the new 12th Street traffic way in Kansas City. More extensive plans for double level streets were designed in connection with the New York Central west side improvement, presented to but not yet officially approved by the board of estimate of New York city, while still more ambitious projects of the same nature have been put forward from time to time for the creation of a two-level roadway through the full length of West Street as it runs parallel and adjacent to the Hudson River in Manhattan.

Suggestions have also been made for the separation of pedestrian from vehicular travel by the construction of overhead sidewalks. These have been proposed, for example, for installation in the side streets leading from several of the Hudson River ferries up to Broadway, Manhattan, and investigation showed them to be entirely feasible,—in fact, the economics of the case is clearly in their favor. Had it not been for the relatively short distance affected by the Oxford Avenue sidewalk arcade in Philadelphia (costs of condemnation for which amounted to \$23 per square foot) it would have been cheaper to erect an overhead sidewalk in the existing street and widen the roadway beneath the sidewalk to exactly the same dimensions as that finally employed. The inconvenience, however, to pedestrians having to mount the overhead sidewalk in this instance would probably have created insurmountable objections at the time

the widening was made. With such overhead structures costing in the vicinity of \$3 per square foot it is evident that such widenings as that of Avery Street in Boston (where the acquisition of real estate cost \$20 per square foot). Livingston Street, Brooklyn (with a \$15 per square foot cost), and Elm Street, New York (with a \$37 cost), an economic limit exists beyond which it is inadvisable to make street widenings or propose wider thoroughfares, double-level streets being considered in lieu thereof.

Experience in urban traffic discloses the fact that the greatest difficulties are encountered at intersections. The Illinois Highway law, for example, takes account of the fact that vehicles which turn from one street into another must do so at a greatly reduced speed compared with that under which they can operate uniformly along a thoroughfare. This reduced speed involves increased density in accordance with well-known physical laws, which in the case of traffic, instantly reacts to accentuate congestion. Such separations of grades as have from time to time been suggested at the intersection of Fifth Avenue and 42nd Street, New York City, are heroic endeavors to relieve this difficulty. Such projects are evidently feasible only where traffic is extremely heavy so that the cost is warranted. The simplest possible means of somewhat alleviating the difficulty is by minor enlargements of the roadway space at intersections. Work in this direction has been carried out in various cities, a late modification in New York, for example, changing the ordinance relative to the radius of curvature of the curb at street intersections, enlarging it from six feet to twelve feet. With curves of still larger radius it would be necessary to cut across the corners of corner lots and to shift pedestrian crossing points

away from the street lines which are continuations of the regular sidewalk space. A logical extension of this scheme is the establishment of stanchions along considerable sections of the curved part of the curb near the diagonals of the street intersection.

An extension of the scheme in another direction is toward a considerable enlargement of the intersection to such an extent that a monument site or even an area large enough to contain a building is planned in the center of the intersection, traffic being carried around such central space by what has come to be known as "the rotary traffic scheme." When the central space becomes large enough for a building site it is generally considered by those who have studied the problem that the advantageous position thus occupied will create values which are more than sufficient to pay for the costs of altering even some congested existing conditions. Were this suggestion to be carried out logically in connection with a street system wherein blocks are only 200 to 300 feet long, the constant twist of the thoroughfare would tend to an unsightly condition and create increased traffic difficulties. Instead of this scheme the logical solution would seem to be a system of streets in pairs with small blocks between the members of each couple (say 80 feet), with larger blocks between the pairs. The traffic of each member of a pair would be in a single direction in each instance with rotary traffic thus produced around each small block. This principle can obviously be applied to advantage only as a substitute for main thoroughfares, the streets in the minor system being carried across the pairs in accordance with the present method.

The practice already initiated and mentioned above of creating cut-off and detour streets for the use of

through traffic should be extended, while the introduction of new diagonals where conditions warrant will also result in marked benefit. The so-called diagonal street in Newark designed to closely parallel the Passaic River and connect Market and Broad Streets so as to eliminate much traffic which turns from one street to the other at that intersection was computed would pay interest and maintenance costs and amortize the whole investment in somewhat less than five years solely from savings in gasoline and tire consumption and wear and tear on vehicles, both automobiles and wagons, and on harness, and in saving of time of drivers and passengers.

A careful study as to the possibilities of the introduction of diagonals connecting traffic centers and the creation of detours for the benefit of through traffic evidently contains great possibilities for future city replanning.

Another possibility of improvement is in the establishment of special, restricted rights-of-way for different classes of vehicles wherever traffic is sufficiently heavy. In connection with the creation of interurban motor transportation, the establishment of freight stations near the centers of distribution like those now established by some trunk lines and by interurban electric roads is a natural next step. Leading to such automobile freight stations should be established special rights-of-way extending some distance toward the city confines. A similar segregation of travel may eventually be found necessary to accommodate motor bus lines.

The suggestion may also be submitted of a further elimination of street railroad tracks from city streets, better to accommodate other varieties of street travel. The great congestion which is being developed on Fifth Avenue in New York City, due to the

large increase in motor buses, points to a similar need with respect to this type of conveyance, a limitation being placed upon the number of buses which may be operated in connection with general traffic. While motor buses are much more elastic than are street cars (restricted as are the latter to permanent rail lines), and while buses also possess many public advantages, it cannot be admitted that they should be permitted to increase to an unlimited extent.

The suggestion has already been presented before previous national conferences that main thoroughfares should be designed in threes, one primarily for passenger transportation, the second primarily for commercial use, while the third is for miscellaneous traffic. The extension of this suggestion to include the substitution for the last type of street, of thoroughfares in pairs is only a minor modification.

Turning to the problems involved by standing vehicles, the first which logically presents itself is that in connection with vehicles which are waiting to make a turn at street intersections. Practice as to this item differs in various cities. In some instances waiting vehicles occupy the center line of the street while in some others (whether the latter area is occupied by railroad tracks or not) waiting vehicles are required to stand next to the right-hand curb, parking being prohibited in the district thus involved with the point in view of accommodating such vehicles as are desirous of making a turn. With this idea in mind and also in many instances to provide for safety zones for street car passengers waiting to board cars, the roadways have been widened. In all cases thus far encountered this widening has resulted simply in a narrowing of the sidewalk. This narrowing is obviously a disadvantage since it occurs where pedes-

trian street traffic is generally most congested. To obviate it, street designs should be made with street lines set back at the corners.

The parking of vehicles is probably the most pressing question now before urban authorities in connection with automobile traffic problems. This question involves the whole theory of the use of streets. The laws as to street use have generally been interpreted as meaning that streets are set aside primarily for traffic.

Residence streets are almost exclusively used by and for the owners of the adjacent property. Generally the original street opening and construction and in many instances repavings (at least in part) have been directly assessed on abutting property. Under such circumstances the use of the street for the parking of vehicles belonging to residents or those who visit them takes place on property which, while it belongs to the public in general, has been paid for and is devoted almost exclusively to the use of adjacent property owners.

On heavy traffic, business streets, on the other hand, the rights of the general travelling public are obviously paramount, and the rights involved in parking vehicles along them are not as clear. In many instances ordinances have been passed permitting property owners or the police to establish zones in which all parking is prohibited. A vehicle owner who drives into the mercantile district with the desire of spending a greater or less amount of time visiting shops or offices, can in few instances park his car immediately in front of the latter because of the great number who desire to do so. Under such circumstances the car is occupying space primarily for the driver's own convenience and generally only in a minute sense to the advantage of the adjacent

property owner. A marked tendency now exists toward doing away with this privilege, almost every city having passed ordinances limiting the time of such parking and in many cases precluding it entirely even when the vehicles are constantly accompanied by a driver who can move them to accommodate traffic needs.

Clubs have established parking accommodations on adjacent private property for the use of club members. Railroad stations have provided space for waiting taxicabs on their grounds, sometimes on the surface as in connection with the Lehigh Valley station in Buffalo or below the surface as is the case at the Pennsylvania and New York central stations in New York; while one department store in New York is reported to be contemplating the acquisition of private property where its patrons can leave their cars after discharge of passengers at the store entrance and from which the cars can be called by a system of electric signals like those so widely used by theaters and opera houses. The Waldorf in New York city constructed a private street (which is largely used by standing vehicles) for the accommodation of its patrons, and a few New York theaters have followed the same course.

This seems to be the only logical solution of this problem and a prophecy is hazarded that eventually no vehicles will be permitted to park except directly in front of property owned by those occupying the car or with whom they desire to do business and then only for very short periods, depending upon the traffic needs of the streets in question.

In some instances municipalities have arranged for the parking of vehicles on publicly owned land as is the case in Cleveland or upon large street spaces in the form of plazas as in

Detroit. This seems a use of public property for private benefit in contravention of the spirit of the law and is to be discouraged.

Just as accommodations have been provided for passenger vehicles, so a similar tendency seems to exist with reference to those used for commercial purposes. The Wanamaker store in New York, for example, has provided loading space within its building where its vans and delivery wagons load and unload and practically all modern railroad freight stations are being designed similarly. In many instances a two level arrangement is employed, railroad cars being on an upper level and vehicles loading and unloading or waiting to do so are assigned space immediately below, at street grade. Such is the arrangement of the new freight station in Chicago and this scheme can and should be adopted for interurban trolley or automobile freight stations as well.

These several studies point to the following conclusions with reference to the planning of cities in their relation to the automobile problem:

- (1) Street traffic will increase greatly in amount and probably also in size and weight of vehicle.

- (2) Regulations will always largely control traffic matters and cities should be designed with this idea in mind.

- (3) Streets should be designed with heavier pavements than at present.

- (4) The elastic principle should be applied to the determination of the width of all thoroughfares but streets wider than those now contemplated can be secured most economically by the use of several levels and the segregation of different kinds of travel upon them, so that street car traffic may be carried in subways or on elevated structures and provision be made for overhead sidewalks and similar features.

(5) Special traffic studies should be made to determine the most advantageous location for cut-offs and detours (radial and circumferential streets) and whenever found economically feasible they should be introduced into existing systems and as far as possible planned for any future developments.

(6) In connection with the handling of freight by automobile truck, private rights of way should be arranged by the trucking interests to reach freight stations located near the centers of distribution.

(7) In connection with such special rights of way and in other places where traffic conditions warrant, separation of grades at crossings is to be considered.

(8) Of all intersections, studies should be made of the economical possibilities of enlargement by cutting off building corners and providing setbacks of the building line for a considerable distance on each side of each corner in order to provide reservoir standing space for street traffic.

(9) These setbacks and cut-offs should be accompanied by setbacks of

the curb and a considerable enlargement of the curb radius at the corners.

(10) Where considerable enlargements are deemed necessary, consideration should be given to the possibility of introducing features at the centers of intersections around which traffic should be carried by the rotary principle.

(11) In cases of extremely heavy traffic, consideration should be given to the introduction of pairs of one-way streets in lieu of extra wide thoroughfares, space between the pairs being devoted to the usual real estate use.

(12) The scheme of designing streets in threes should always be considered for those destined to carry heavy traffic, so that surface street railroads, commercial vehicles and other traffic may be cared for respectively.

(13) In general, parking space should not be provided to any great extent in city plans, such parking space in connection with railroad stations (both freight and passenger), theaters, hotels and even department stores and commercial buildings being arranged on private property.

DISCUSSION OF THE URBAN AUTO PROBLEM

BY HARLAND BARTHOLOMEW

Engineer, City Plan Commission, St. Louis

MR. GOODRICH'S able and interesting paper constitutes a valuable contribution to the literature of the problem of automobile traffic in cities. Perhaps the paper can best be discussed by taking *seriatim* the several conclusions given by Mr. Goodrich.

(1) "*Street traffic will increase greatly in amount and probably also in size and weight of vehicle.*" During the war it was found that the increase in automobile traffic within the business district of St. Louis amounted to approximately 15 per cent annually. With the increased production of motor vehicles following the war, it may be predicted safely that an equal or greater increase will occur in all cities, large and small. This means that traffic on the streets will double every four or five years for the next few years at least. Figures recently published by Frederick S. Green, state highway commissioner of New York (*Engineering News-Record*, April 25, 1920) show motor traffic increases of 2,710 per cent in ten years (1909-1919) on the Albany Post Road at Peekskill. Figures also presented by Commissioner Green indicated increases of from 140 per cent to 387 per cent in motor truck traffic on certain roads for the three year period of 1916-1919.

There is little question but that the density of street traffic will become a more acute problem each year.

In 1916 Nelson P. Lewis, chief engineer, New York City, prepared a paper on "The Automobile and the City Plan," which showed results of a canvass of automobile manufacturers with

respect to all trucks manufactured. In this it was shown that there was an evident tendency toward standardization of the sizes of trucks, the 1, 3½ and 5 ton trucks being more universally used. It would be interesting to note the tendency in size and capacity of trucks since that date. Certainly we know that trucks of much larger capacity have made their appearance on streets of large cities since that time and there have been introduced trailers of varying capacities. One of the worst examples of the abuse of size of vehicles was that of a truck taking excavations from the subway in 33rd Street in New York City using large trailers with iron tires whose constant use broke down a recently laid modernly constructed pavement on Forty-second Street. During the recent switchmen's strike in St. Louis it was found difficult to secure building materials on certain large building projects on Washington Avenue and vehicles appeared on the streets carrying as high as 13 tons of cement each. A few large cities have adopted regulations governing the size and weight of vehicles. This is absolutely imperative if large cities as well as small are to protect their present pavements and to avoid excessive cost in the laying of new pavements.

The increase in street traffic serves to destroy pavements on certain main traffic routes and where these thoroughfares have not developed for business purposes, the pavements are destroyed long before their natural span of years had they been used merely by those

residents whose property fronted on the street. It becomes a duty of the municipality consequently to assist in meeting the expense of the renewing of these pavements, if not to pay the entire cost. In the \$24,000,000 bond issue to be voted on in St. Louis May 11, an item of \$360,000 has been included as a start toward the replacement of pavements on main traffic thoroughfares at general public expense.

(2) *"Regulations will always largely control traffic matters and cities should be designed with this idea in mind."* The results to be accomplished through traffic regulation are as yet practically unknown in all but a few of the largest cities. The importance of the relation between design and traffic regulations is probably best illustrated by the fact that more people are killed in automobile accidents on two of the circular street intersections in Washington, D. C., than at any other points in the city. This is not due to the fact that circular street intersections are dangerous but that in these two particular places improper design and improper traffic regulation make these particular intersections more dangerous than other similar intersections within the same city.

(3) *"Streets should be designed with heavier pavements than at present."* While it may be necessary to design heavier pavements than at present I do not agree with this as a general statement for it would be better first to regulate the size and weight of vehicles in order to avoid unnecessary expense in pavements. In the second place if investigation shows the desirability of heavier pavements than are now laid, the importance of a major street plan at once becomes most significant, for no city is justified in laying heavier pavements throughout hundreds of miles of streets against the

possibility that some of them may be destroyed by vehicles of great weight, but rather the street system should be so designed that the major traffic thoroughfares be differentiated from minor streets and if heavier pavements must be laid these can be confined to the major streets which constitute only from 20 per cent to 25 per cent of the street mileage within the city. The extra expense of heavy pavements on these major streets can in part be offset then by laying less expensive pavements on the remaining 75 per cent or 80 per cent of the city's mileage in minor streets.

(4) *"The elastic principle should be applied to the determination of the width of all thoroughfares but streets wider than those now contemplated can be secured most economically by the use of several levels and the segregation of different kinds of travel upon them, so that street car traffic may be carried in subways or on elevated structures and provision be made for overhead sidewalks and similar features."* There is no doubt that many of the devices suggested for separation of travel within the densely built-up business districts of many large cities will have to be resorted to in varying degree. Rather than to continually increase this concentration by mere expedients, should we not on the other hand take equally strong measures to decentralize the central business districts of these large cities and particularly those cities now experiencing great growth, in order to avoid the tremendous expense of separation of levels for different kinds of travel, etc. One of the most effective and necessary methods of decentralization of main business districts is to limit the height of buildings not merely to provide the adequate light and air for workers in those buildings but to thus distribute the district over a greater area, diffuse traffic and at the same

time diffuse values of property. To diffuse the traffic will make it easier to handle and will reduce congestion at the intersection of a few main streets. To diffuse property values will be to create advantages for many rather than a few and to materially increase the income of the city in taxable values.

(5) *"Special traffic studies should be made to determine the most advantageous location for cut-offs and detours (radial and circumferential streets) and whenever found economically feasible they should be introduced into existing systems and as far as possible planned for any future developments."* Several cities are now undertaking the construction of circumferential or radial streets by which to divert traffic from a congested business center. In Detroit ordinances were recently approved for the opening of what is known as the Dix-High-Waterloo traffic route. It is proposed to so connect and widen these three streets that a complete crosstown highway having a minimum width of 80 feet will extend across the entire city approximately one-half mile north of the business district. The present tremendous congestion of traffic about the City Hall in the business district of Detroit is caused by the convergence of numerous radial streets at this point. Traffic from the north or east destined for the western part of the city or vice versa now has no opportunity to avoid the congested traffic of the business district except through narrow, tortuous streets. This improvement will cost approximately \$3,000,000 and should serve to lessen considerably present congestion in the business district.

In Omaha there exists an inner belt railway approximately two and one-half miles distant from the city's business center. Paralleling this belt line and at distances varying from 150 to 600 or 800 feet east of it, a new street is

to be created known as the Trafficway. This is an excellent example of a circumferential street being created through the widening of certain existing streets and the opening in some cases through improved and unimproved property of a circumferential thoroughfare passing approximately through the physical center of the entire city.

(10) *"Where considerable enlargements are deemed necessary, consideration should be given to the possibility of introducing features at the centers of intersections around which traffic should be carried by the rotary principle."* When it is proposed to use the rotary traffic principle at street intersections it is extremely important that the design should be carefully studied. In no case should an intersection be planned with a radius of less than 150 or 200 feet. The width of roadway should be narrow rather than wide so that traffic will flow in well defined lines, otherwise great danger of accidents will be present. The circle or other geometrical feature should be carefully centered on the axes of the various streets approaching the intersection, otherwise an extremely difficult traffic problem will result. At the Lindell Avenue entrance to Kingshighway in St. Louis a rotary traffic plan has been introduced and modified numerous times but no successful solution ever arrived at because the circle is not on the center with the several streets approaching the intersection. Only until the circle has been so centered can there be any successful operation of the radial traffic principle.

(11) *"In cases of extremely heavy traffic, consideration should be given to the introduction of pairs of one-way streets in lieu of extra wide thoroughfares, space between the pairs being devoted to the usual real estate use."* Mr. Goodrich's suggestion for the introduction

of pairs of one-way streets in lieu of extra wide thoroughfares is particularly desirable where the creation of a single wide thoroughfare is prohibited from the standpoint of cost. Experience would seem to indicate the desirability of not too great width in thoroughfares if traffic is to be handled expeditiously and satisfactorily. I do not quite understand why Mr. Goodrich suggested merely the depth of one lot between these groups of parallel thoroughfares. To be sure these lots would have double frontages that might make them desirable for business purposes but they would be so inaccessible between the two heavy traffic streets that their value would be proportionately less. If pairs of one-way streets are to be created there would seem to be no justification for any

other than the usual type of land subdivision with a full block of property between such one-way streets.

(13) *"In general, parking space should not be provided to any great extent in city plans, such parking space in connection with railroad stations (both freight and passenger), theatres, hotels and even department stores and commercial buildings being arranged on private property."* There should be general agreement with Mr. Goodrich's conclusion that the problem of the parking of vehicles must be met at private rather than public expense. There is ample precedent for such a conclusion; if parking space were to be provided at public expense, cities would soon become bankrupt at the present values of land within the business district of large cities.

DISCUSSION OF THE URBAN AUTO PROBLEM

BY AMOS SCHAEFFER

Consulting Engineer, New York City

IN his paper on "The Urban Auto Problem," Mr. Goodrich has raised several questions which, for a number of years, have caused considerable anxiety to the officials of the Borough of Manhattan, New York city. There are two phases of the question which appeal particularly to the writer; namely:

I. The relation of design between auto trucks and roadways.

II. Traffic

(a) Its regulation.

(b) Space for its development.

The author has pointed out the need of designing pavements to carry heavier and larger loads. Highway engineers are gradually beginning to recognize this need, and are designing new roads and pavements to meet these new

requirements. The problem of keeping the design of the roadway and the auto truck properly balanced, however, is not entirely that of the highway engineer; it is also that of the automotive engineer. The highway engineer may be slow at times to recognize the need of highways of greater capacity; he is unable, on the other hand, to adapt existing pavements to the rapidly increasing demands made upon them by heavier and larger trucks. A properly and well-built road will last at least ten years. During the same time, the auto truck may have doubled or tripled in weight and size. It would be manifestly extravagant to attempt to rebuild these roads to keep pace with the development of the auto trucks, yet the automotive engineer takes the attitude that it is the duty

of the highway engineer to keep pace with his development of the truck.

As an example of this, the controversy between the automobile interests and engineers as to the width of the roadways necessary in the proposed vehicular tunnel under the Hudson river, between New York and New Jersey, is a case in point. The engineers propose a roadway twenty feet in width, for two lines of traffic in the same direction. Although this is one foot more per line of traffic than has been considered necessary in the past, the automobile interests advocate a still wider roadway to accommodate the constantly increasing width of the auto truck. All interests would be served better if a width were fixed beyond which the builders of trucks might not go. In fact, laws and ordinances are in effect in many places governing the weight and dimensions of vehicles.

The author of the paper has pointed out that the art and science of constructing highways has been the study of mankind for thousands of years, while the development of the auto truck has been a matter of decades. Highways are financed by public funds; auto trucks by private. The procuring and expenditure of public money is much less elastic than that of private money, on account of the many restrictions and checks which the law usually imposes. It is partly for this reason also that highways do not keep pace with the demands which are made upon them.

The author suggests a movement of traffic to relieve congestion which he compares to a military organization on the march, where the distance between the company or battalion formation is considerable. He proposes to take advantage of these open spaces for the movement of the east and west traffic. The police department of New

York has recently put into operation, as an experiment, a method of regulating traffic which embodies those principles to some extent. The traffic is regulated from five towers which are located in the center of Fifth Avenue, at street intersections from 34th Street to 57th Street. The traffic at 42nd Street being the densest, the tower at this intersection is used as the master tower from which all the others are operated.

The other towers, both to the north and to the south, take their signals from the master tower and flash their lights at the same time. All north and south-bound traffic, therefore, moves simultaneously, and since there is no interruption by east and west-bound traffic, a speed of 20 miles an hour is sometimes attained. In fact, speeding up is encouraged. The experiment has been successful beyond hope.

The segregation of light and heavy traffic to certain streets has also helped in the solution of the New York problem. It is believed that additional relief in the immediate future, at least, must be looked for in the regulation of traffic rather than in providing more space. There is a limit to the additional space which may be made available within the present street lines, and even that can only be obtained at great expense, while the laying out of additional thoroughfares through the highly developed sections of the city is beyond contemplation.

The parking of automobiles in New York city is becoming a very serious problem. There is very little space which may be assigned to the use of the public for parking automobiles. Automobiles may be left at the curb for considerable periods of time, except in the most congested sections of the city. This privilege is frequently very much abused. People having places of business in the city who live outside of the

city drive into town and leave their cars at the curb in front of their places of business until they are through with their day's work. Recently, a young lady whose home is out on Long Island drove her car into Brooklyn and left it at the curb not far from Borough Hall, where it remained all day. During the early evening it was removed to the incumbrance yard by the authorities. About 10 o'clock, the owner of the car, being unable to find it, was told that it had been taken to the incumbrance yard. When questioned as to the reason why her car had been left so long, she explained that she had an errand in Philadelphia and drove to Brooklyn in her car, where she left it, and took the subway to the Pennsylvania station, where she took a train for Philadelphia. Of course, she expected to find her car, on her return, where she had left it. The need of parking space is seriously felt by department stores, hotels and theatres, whose patrons at present have to travel several blocks before they can find

space where they may leave their cars, even if they are attended.

In the produce district, in the lower part of the city, merchants for many years have been in the habit of maintaining loading platforms in front of their places of business. In some cases trucks are backed across the sidewalks against these platforms, and in others, a temporary bridge is thrown across the sidewalk, for the purpose of loading and unloading produce. During this time pedestrians are compelled either to pass around the trucks or climb over the loading platform. Some of these obstructions are being gradually removed, particularly near subway entrances, to make way for the rapidly increasing pedestrian traffic. Merchants and manufacturers are beginning to recognize the fact that the public highways cannot be occupied much longer for this private use and are gradually providing these facilities on their own property. The time is not far off when this use of the streets must be given up.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

THE HOME I WANT. Including a full explanation of the new Housing and Town Planning Act. By Richard Reiss. Second Edition. London, Hodder and Stoughton, 1919. 197 pp.

No one can read this volume and doubt that the English intend to have comprehensive action in both housing and town planning, but the writer reproaches his countrymen with slowness in practical accomplishment. Mr. Reiss, who is chairman of the Executive Board of the Garden Cities and Town Planning Association and member of the Advisory Housing Council of England's recently created Ministry of Health says: "At least half a million houses are required to meet the emergency shortage and another half million if the insanitary and dilapidated houses are to be replaced. The present problem . . . is not confined to . . . the poorer classes," but touches as well such persons as "bank clerks, teachers, lecturers and curates." For the men recently demobilized and for others he insists on decent standards of housing, whether urban or rural—this, not merely for the reasons put forward for many years, but also "to help remove causes of industrial unrest."

Mr. Reiss upholds England's present action in subsidizing housing, upon which he reports all parties in the House of Commons agreed, and argues against permitting the trebling of rents to make possible economic returns from new buildings constructed now. He describes the provisions of the Increase of Rent and Mortgage (War Restrictions) Act of 1915, which has prohibited for a time the raising of rents and of mortgage interest rates for small houses. He shows how the Housing and Town Planning Act of 1919 makes it obligatory to develop housing and town planning schemes and furthers slum clearance operations.

The book contains suggestions on planning, construction and management of houses and house surroundings, including roads; on town lay-out and on individual and group action, both official and private, for housing and town planning improvement. Emphasis is laid upon the part which women should play in the housing

movement and upon the relation between poverty and bad housing. The volume ends with the following sentence which clearly expresses the spirit of the book and of England's effort which it describes:

"The war has brought about vast changes in our social life and mental outlook. It is for us to decide whether the peace shall not bring with it changes even greater. It is within our power to create a new world."

EMILY W. DINWIDDIE.

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THE HOUSING OF THE UNSKILLED WAGE EARNER. By Edith Elmer Wood. New York, The Macmillan Company.

Mrs. Wood has written a much needed book, and written it well. No other work furnishes, as this one does, a modern summary of the housing situation in this country, with references to legislation and other sources of original information. The synopsis of foreign law and practice, in this connection, is also convenient.

The book begins with a brief statement of the problem; a short history of housing and description of housing conditions in a number of cities in different parts of the country follows; then comes a history of restrictive legislation here, and of efforts to raise standards and improve conditions by model housing under private initiative; next is a history of the housing experience of foreign countries; then an account of the beginnings of constructive housing legislation here, and a discussion of the objections to such legislation is given; and finally the author states the comprehensive housing policy which she advocates for this country, adding a draft of a national bill.

The debatable portion of the book is of course the suggested housing policy. This policy, including as it does, restrictive legislation, government money at the rate the government pays for it, and city planning, may be said to be comprehensive; but city planning is merely mentioned, no idea of the part it must play in the solution being given; to get this idea the reader must supplement Mrs. Wood with such works as the inspiring little English book "New

Towns After the War," the suggestive pamphlets of our own "Committee on Industrial Towns" and the report, just out, of the New York state housing committee of the reconstruction commission. Nothing can be clearer to the man who is willing to face facts than the fact that restrictive legislation, philanthropy or semi-philanthropy, and government money at low rates are, alone, inadequate remedies. We must have also decentralization of industry and population, scientific planning, zoning and development, large scale and large unit production of building land and buildings, the speedy conversion of acreage into lots occupied by buildings in use, to save the great waste due to

carrying charges, regional planning including not only transportation but a greater control over the location of cities and their development, and the conservation of the increment of value due to city growth for the benefit of housing. Radical as these suggestions may sound to some, they have all been tried and proved successful on a comparatively small scale. To apply them on a large scale is obviously much more difficult. Ultimately, however, it will be accomplished; for most of the present remedies as employed by us, are merely palliatives which ultimately increase the evil we are combating.

FRANK BACKUS WILLIAMS,

II. REVIEW OF REPORTS

Bulletins for the Constitutional Convention of Illinois. Compiled and Published by the Legislative Reference Bureau. Springfield, no date. —An important development in the machinery of constitutional conventions is the provision now commonly made for supplying to the delegates authoritative information on the various subjects which they are to consider. For the New York Convention of 1915 a commission was appointed which issued the well-known *Index-Digest of State Constitutions* and a series of elaborate studies dealing with various aspects of the government of New York. Massachusetts in 1917 also created a commission which published thirty-six pamphlets dealing with subjects which seemed likely to come before the convention. With but few exceptions these subjects were of general interest and did not relate peculiarly to Massachusetts. Illinois, Nebraska, and possibly other states have adopted similar measures, and in the future it is not probable that any state will undertake a thorough revision of its fundamental law without making some sort of provision for supplying its convention with reliable and impartial data.

In preparation for the assembling of the constitutional convention of Illinois, the legislative reference bureau was charged with the duty of collecting and publishing information for the delegates. This duty was entrusted to Dr. W. F. Dodd, who has issued pamphlets containing the texts of the three constitutions of the state and of the rejected constitution of 1862, the text of the present constitution elaborately annotated, and a series of fifteen brief bulletins dealing with such subjects as the procedure and problems of

the constitutional convention, the initiative, referendum and recall, the short ballot, municipal home rule, farm tenancy and rural credits, and social and economic problems. Of special value not only to the delegates but to students of government everywhere are the bulletins which deal particularly with government, both state and local, in Illinois. While in some cases their argumentative tone might raise a question as to their impartiality, it must be said that these studies are well arranged, clearly presented, and admirably adapted to their purpose. Although prepared especially for the Illinois convention, their usefulness is by no means confined to that body or to the people of that state.

LAWRENCE B. EVANS.

Washington, D. C.



Report of the Special Joint Committee of the New York State Legislature on Taxation and Retrenchment.—This report is described on the title page as the "Retrenchment Section," but there is nothing in the report or the letter of transmittal to indicate whether there has been or will be a "Taxation Section" or any other section. Notwithstanding its description as a section, the volume is divided into two parts which are also called sections, one on retrenchment in city government and one on retrenchment in county government. The subject matter shows evidences of having been prepared by a trained staff.

While the committee does not hold out much hope for a reduction in the cost of municipal government it makes some commendable pro-

posals for the correction of particular defects in existing governmental organizations and practice which should effect considerable savings.

The report is summarized in the committee's eleven recommendations:

1. The adoption of a legislative policy which will promote sound municipal organization.
2. Further study of the relation of school administration to city administration, although the committee does make a few concrete suggestions.
3. A budget system including all funds and actually controlling expenditures.
4. A comprehensive bonding act.
5. Authorizing cities to assess and collect taxes earlier in the fiscal year to avoid borrowing in anticipation of taxes.
6. Placing pension funds on an actuarial basis.
7. Central purchasing and the utilization of the city's facilities by boards of education.
8. Abolition of tax limits, substituting centralized and responsible governmental organization, with the budget system.
9. The amendment of such laws as require unnecessary expenditures.
10. The reorganization of assessment offices and improvement of equalization methods.
11. Further study of tax exemptions.

Only four pages of the report are devoted to retrenchment in county government, which are summed up in a recommendation for a constitutional amendment to allow elasticity in governmental organization so that urban, rural and mixed counties may all have governments suited to their needs.

HENRY E. PEARSON.

Bureau of Municipal Research of Philadelphia.

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Merit Maxima in Public School Work.—Bulletin no. 8 of the Allied Association of Public School Teachers of Baltimore, March 13, 1920.

This is a pamphlet of twenty-two pages, prepared for submission to the board of superintendents, and through that board to the board of school commissioners.

In this pamphlet, the teachers discuss in an intelligent and broad-minded manner the recognition of merit in the advancement of teachers on the salary schedule. They frankly avow "that the logical basis for merit promotion, from the standpoint of the public which pays the bill and the pupil who receives the ultimate benefit, is not credit for hours of study, whether in training school, college, or elsewhere, but class room performance." Nevertheless, they point out that the school organization, at least in Baltimore, possesses no agency which can be expected to evaluate class room performance of

two thousand teachers so accurately as to justify making it the basis of advancement at present.

They conclude that, in the absence of facilities for carrying out a more scientific plan, the city could do substantial justice to all interests by automatic increases up to a certain point, beyond which teachers should be advanced only in recognition of approved professional or academic outside courses.

Meanwhile, an enlargement of the supervisory staff is suggested, and its reorganization in a way to make possible promotion on a basis of class room excellence is urged.

The recommendation of a maximum of \$1,500 for elementary and \$2,600 for high school teachers is not extravagant, though the wisdom of so great a chasm between the salaries paid for the two grades of work may well be questioned.

BRUCE M. WATSON.

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The Czechs of Cleveland, by Eleanor E. Ledbetter of the Cleveland Public Library, is the sixth of a series of brochures published by the Cleveland Americanization Committee on the principle that if Americans in general would more readily recognize the value of what the immigrant brings to us it would be much easier to teach that immigrant the culture of America. The author attempts to enable us to understand the Czechs (of whom it is said Cleveland contains a larger number than any other American city) by sketching the course of Czech immigration to America and of the settlement of Czechs in Cleveland, and by describing the racial characteristics of the Czechs. Thus we are told that the Czechs are a thrifty people, as shown by their savings and loan associations; that they are deeply religious; that music, the drama, and gymnastic work are "among the things without which the Czech cannot live"; that fraternal organizations are a striking feature of all Slav life in America; that the Czech comes to America "with the determination to adjust himself to American conditions just as soon as possible"; that the Czechs do not seek political preferment, and that they split the ticket or vote independently "whenever the character of the issues or the personality of the candidate makes an appeal to them." Their business associations, outdoor and social clubs, desire for education and taste for books, business sagacity and skill as workmen, and patriotism during the war are also prominently mentioned.

The author is an enthusiastic friend of the

Czechs rather than a critical delineator. If her picture is a fair one Americanization committees have nothing to offer them.

R. R.



Making the Annual Report an Asset to a City.—A recent issue of *Kansas Municipalities*, published by the League of Kansas Municipalities, at Lawrence, Kansas, contains valuable suggestions for transforming the annual report of any city administration from a mere "piece of red tape required by law" to an interesting, informing document that will really acquaint the taxpayer with the management of his government. The way to make a report readable, the use of comparisons and pictures, the style and form of the report, methods of circularization, and the value of the report as an advertisement of the city, are discussed, and practical suggestions are given that will prove of interest and help to all who are concerned in compiling or improving documents of this kind.

An important activity of the League has been to promote more intelligible cost accounting in public utilities under municipal ownership. It is claimed that only one city out of fifty can give adequate information on the cost of water, or electric service.



Initiative and Referendum Election Statistics.—This collection of data for states having initiative and referendum laws, for the period of 1909-1919, has been compiled by Hazel Rasmussen of the Wisconsin legislative reference library. After a prefatory summary of the period covered for each state, showing the number of initiated and referred measures and constitutional amendments submitted, and the number of each class adopted, there is a detailed analysis, year by year for each state, with a descriptive title of each question submitted and the vote for and against. The corresponding votes for governor are given for comparison.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Detroit M. O. Plan Hanging Fire.—Latest returns indicate, as William H. Taft once said, that Detroit is "still hanging by the gills" as regards its problem of street car transit. The much-heralded municipal ownership plan of Mayor Couzens, which was adopted by the people at the election of April 5 last by a majority of 63.6 per cent of the total vote cast, is already at a standstill, owing to a half-dozen varieties of injunction and other cases at law which have been started by the Detroit United Railway company to forestall action.

While the situation is a great disappointment to large numbers of Detroit citizens, it is no surprise to old inhabitants, familiar with the fights which have been waged, one after another, since the days of Mayor Pingree. After a dozen failures to solve the problem in the last twenty years, in most of which the question of municipal ownership was at least involved in the issue, Mayor James Couzens was elected to office in November, 1918, on a platform which promised a new deal. Couzens was viewed by his friends as the new Moses who would lead into the promised land where no D. U. R. would trouble the city, as the Philistines troubled Israel of old. He was to be the Napoleon, but with no Waterloo.

Contrary to conditions general in the rest of the country, the Detroit transit concern has been paying good dividends on a five-cent fare. This has been due chiefly to the great volume and density of traffic; the crying need of extensions, operation of which would increase overhead costs; and lack of such steam road competition as, for example, Boston must face. Mayor Couzens began action immediately on entering office by submitting a plan for purchase of the entire D. U. R. system by the city. The people, in April, 1919, voted it down. The price fixed was \$31,500,000. The law requires a 60 per cent majority, but the plan received only 46 per cent of the votes.

Next the mayor proposed a downtown subway dip, costing about \$10,000,000, to relieve congestion, permit extensions of surface lines, and make a beginning of an ultimate subway

system. Ample surveys had been furnished by Barclay, Parsons & Klapp. Mayor and council and street railway commission were "sold" as to the plan. But it involved a contract of some kind with the D. U. R., hence the municipal ownership radicals fought it and stampeded the mayor against it. The third step was a straight plan for original municipal construction and operation of needed car lines in certain parts of the city, without duplicating existing lines except in a few streets. After a tremendous campaign, led by the *Detroit News*, this plan was adopted April 5 last, including a bond issue of \$15,000,000 to pay for the new lines.

Since election day the mayor—who "fired" the old street-car commission and set up a new one to his liking—has begun operations on one street, while the D. U. R. has begun filing injunction suits. At the same time the mayor has used the police to prevent the D. U. R. from going on with needed extensions, already begun. One party insist on service at a fair price, even if the D. U. R. is utilized on the Cleveland-Taylor plan. The radicals would rather have no service than permit the D. U. R. to do anything which, even though providing service, might imperil the city's future claims to possession of its own streets. Meantime Detroit is bursting all bounds in its growth, yet transportation is not furnished for new sections of the city, and nobody knows when they shall get it. If the mayor can sell the city's bonds, and if he can get construction materials, he may go on the with municipal lines. He also hopes to use them as a club, to force the D. U. R. to sell out entirely to the city, "at a fair price."

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The East Cleveland Zone Case.—The city of East Cleveland is a suburb of Cleveland, having a population of about 30,000. It operates under the commission form of government, and Mr. C. M. Osborne is city manager. On July 15, 1919, the city commission passed an emergency ordinance adopting a building zone plan for the city. Under the ordinance, Zone "A" is the industrial zone and is left unrestricted. Zone "B" is the business zone and is restricted

against manufacturing of all kinds. Zone "C" is the apartment zone and is restricted against manufacturing and business. Zone "D" is the private dwelling zone and is restricted against manufacturing, business and apartments.

The case arose on the refusal of the building inspector to issue a permit for the erection of eight apartments in a zone restricted to one or two family dwellings. It had come before Judge Foran who sustained the validity of the zoning ordinance in an opinion published in the Ohio law bulletin of March 15, 1920, at page 98. The case was not fully argued before Judge Foran and no evidence was submitted by either party. A rehearing was granted which came before Judge Kramer, and at this rehearing, evidence was submitted by the city to show the relation of the zoning ordinance and the restriction against apartment houses in particular to the purposes for which the police power may be exercised.

Mr. C. M. Osborne, city manager of East Cleveland, testified in relation to the preparation and adoption of the zone plan. Dr. Haven Emerson, former health commissioner of New York city, showed the relation between the apartment and the public health, and Dr. Robert H. Whitten, advisor, Cleveland city plan commission, testified in relation to the general advantages of a zone plan and the necessity of keeping apartments out of the one or two family house sections. Mr. Paul Feiss, chairman of the housing committee of the chamber of commerce, showed the relation of apartment house limitation to the general housing problem. The court accordingly had in the evidence before it a fairly complete statement of the meaning of zoning. Substantially no evidence was submitted by the relator in rebuttal.

The case will doubtless be appealed but with the record in the lower court and the well thought out opinion of Judge Kramer, the chances seem good for a favorable outcome.

In an able discussion of the nature and scope of the police power Judge Kramer emphasized the definite interest of the community in the use of private property. After a severe arraignment of the modern apartment house the court asserted "that it is within the police power of a city to preserve districts against the apartment, that the greater the proportion of private homes in a city, preferably occupied by the

owners, the better the city in health, morals' peace and welfare."

*

Cincinnati Citizens Raise Fund for City Planning.—By virtue of its charter, the city of Cincinnati has had since the 1st of January, 1918, an official city planning commission with full city planning powers. Practically speaking, however, no steps were being taken towards the making of a comprehensive plan for the city. This inaction was due mainly to the lack of funds, the city of Cincinnati not having sufficient current funds for regular operating expenses.

Before the war, there had been created a united city planning committee consisting of the city planning committees of the various civic organizations of the city. The function of this committee was to stir up an interest in city planning. During the war, as was natural, this activity lagged. Early in the fall of 1919 it was decided to re-galvanize this united city planning committee, and that the first undertaking of this committee should be the raising of a fund which, together with the amount available from the city treasury, would enable the city planning commission to proceed with the making of a city plan. It was determined that the total fund should be not less than \$100,000, of which the city was to pay \$30,000 and the citizens \$70,000. The raising of this citizens' portion naturally involved a campaign of education and publicity, and this work was recognized as the permanent work of the united city planning committee, if such an interest in the subject is to be maintained that when the city plan is finally promulgated by the official city planning commission, it will have public backing to carry it out.

The work of raising the citizens' portion of the fund was in its early stages when the movement started for a 1920 community chest which would include practically all other philanthropic and social service fund raising activities, and the united city planning committee agreed to enter into the chest and, while the chest was being raised, to abstain from solicitation. Under the arrangement made, the city planning fund will receive only those sums specially designated to it.

The chest campaign is now over, but the amount which has been designated for the various purposes, including city planning, has not

as yet been calculated. It is therefore at this moment impossible to say just how much of the \$70,000 has been raised. As soon as the united city planning committee knows this amount, it will report to the official city planning commission, so that commission may know how much of the citizens' portion of the fund is available for starting the work. In the meantime, the committee is continuing the organization of its educational and publicity campaign. It now consists of the representatives of twenty-two civic and professional organizations, including all such organizations whose field of interest naturally includes city planning.

ALFRED BETTMAN.



The Legislature and the Boston City Council.—The Massachusetts legislature has passed a measure, which has been signed by the governor, increasing the members of the Boston city council from nine to fifteen; the fifteen to be elected from council districts, the present system of election at large being abandoned. The bill carries a referendum at the November election and present indications seem to point to acceptance by the voters at that time.

The measure is supported by both the Republican and Democratic organizations in Boston. Neither machine has been satisfied with the plan of electing nine members at large and both have turned hopefully to the district system. Under the new bill the entire council will be elected every two years. The mayor, whose term is four years, will thus be elected at the same time as the council. The political organizations obviously hope that this will make easier the development of a complete city machine. The candidate for mayor will be expected to carry a majority of the council districts. On the other hand, the essential harmony between the legislative body and the executive, and simplified party responsibility to the people, which constitute the theoretical merits of party government, should be expedited.

The Boston Charter Association, the Chamber of Commerce, and the Good Government Association urged the governor to veto the bill. The referendum provision, however, saved it from this fate.



Sterling-Lehlbach Bill Becomes Law.—This measure, noted in our last issue, establishing old age and invalidity pensions for 300,000 federal employees in the classified civil service, has been

passed and goes into effect in August. This act provides for the retirement of railway mail employes at the age of sixty-two, mechanics, letter carriers and post office clerks at sixty-five and all others at seventy. Employes able and willing to continue their duties after the prescribed age may do so for two periods of two years each, with the consent of the head of the department and the approval of the civil service commission.

The yearly pensions on retirement range from \$180 to \$720, depending on salary and length of service. The same benefits are provided for those who have been totally disabled by disease or injury, not due to bad habits or wilful misconduct, as for those retiring on account of age. Employes must have been in the service for at least fifteen years to receive the benefits of the law.

The employes' contribution to the pension fund is in the form of a compulsory deduction of 2½ per cent of their salaries, which will yield, it is estimated, about one-third of the expense of the law. Persons who leave the government's employ or die before attaining the prescribed age or length of service are protected by a provision which returns to them or their heirs all money paid in with 4 per cent compound interest.



Resolution Authorizing Survey of Federal Administrative Services Passes Senate.—Reference was made in our last issue¹ to efforts being made at Washington towards reform in the administrative organization. A joint resolution, introduced by Mr. Smoot, has since passed the Senate proposing the creation of a joint committee on reorganization to consist of three members each from the house and senate with authority to make a survey of the administrative services of the government for the purpose of securing pertinent information concerning the various departments, their powers, duties, extent to which there is duplication or overlapping of authority, what redistribution of activities should be made in order to secure proper correlation of activities and the largest possible degree of efficiency and economy in operation. From time to time the committee is to report to both houses. It may make recommendations, prepare and submit bills, conduct investigations and examine records of any of the executive

¹National Municipal Review, vol. ix p. 375.

departments, employ necessary clerical assistance, etc. The committee is to report finally by December, 1922.

An identical resolution was favorably reported by the house judiciary committee, but died on the calendar in the rush of the closing days of the session.



The Illinois Constitutional Convention is proving a slow moving body. At this writing committees are just commencing to report. Down state members are making a struggle to limit Chicago's representation in the legislature and it seems probable that the effort will be successful with respect to the senate. The convention repudiated utterly the committee proposals which slightly reduced the county ballot. Indications are that a provision permitting optional laws affecting county government, uniform as to classes of counties, will be adopted.

Municipal home rule is meeting stiff opposition although present signs seem to indicate that it will be adopted in some measure. The committee on state executive will probably submit two plans, one embodying the executive organization at present, and an alternative proposal which will shorten the ballot by providing for the election of only the governor, lieutenant-governor and auditor.



Taxing Land Values in New South Wales.—The American consul at Sydney reports that in New South Wales the system of imposing a tax on the holder of unimproved land and exempting improvements, appears to be operating satisfactorily. There was no disturbance of business when the law went into effect; and there has been no agitation for a return to the former system of taxation. The general opinion there is that the present system is a permanent one, and that it has spread population and improved housing conditions by making profitable the creation of many thousands of homes suited to almost every domestic need. The tenement in Sydney has never become a standard type of dwelling as in most of the world's large cities.

Scarcity of houses remains, however, and there has been no reduction in rents. Building operations were largely suspended during the war, and since the armistice numerous strikes, agitation for shorter hours in the building trades and the increase in the cost of building materials have all operated to restrict and limit new construc-

tion work. The housing problem, however, is now being attacked by state and municipal officers working with local builders.



Two Cities Take up Dramatics.—"Everybody's Playhouse" is the title of the new Municipal Community Theatre which Baltimore is to have on its municipal recreation pier. It is to be a theatre for the people, run at popular prices, and financed by the municipality. This is from all points of view an important experiment. The theatre is situated in the heart of a densely populated district where twenty-two different nationalities are gathered together. It will offer folk plays for adults and folk plays for children. There will also be plays that are soundly American, written by American authors. The theatre seats 500 people and is equipped with a portable stage. Its director is Mrs. Adele Nathan, well-known for her work in pageantry at the Vagabond Theatre in Baltimore.

Not to be outdone by Baltimore, St. Louis under Mayor Kiel is promoting municipal opera. Operas such as "The Mikado," "Robin Hood," "Babes in Toyland" and others will be presented in a natural amphitheatre already constructed in one of the city's parks. Co-operating with the mayor are numerous civic, commercial and social organizations. The cast will be composed of local talent with a large supporting chorus and a 50-piece orchestra.



New Orleans Looks Forward to a New Charter.—The Orleans Democratic Association, which did much to elect Governor John M. Parker, will move for a new charter for New Orleans as soon as the business of constitutional revision is out of the way. Governor Parker was elected on the platform pledged to an unrestricted constitutional convention, and since many important matters relating to New Orleans are embraced within the present constitution it was thought wise to wait until after 1921 when the convention will probably meet.



Municipal Ownership Shows Profits.—All of the public utilities in Nottingham, England, such as tramways, electric lighting, gas and water works, are owned and operated by the municipality. During the past year all of them realized a profit for the city, with the exception of the water works, which showed a loss of about \$85,000. The water works committee of the city council has therefore recommended an

increase of 25 per cent in the charges for domestic purposes.

The profits from tramway operations during the year amounted to \$519,000 as compared with \$416,000 for the previous year. The average daily number of cars in service was 121, as against 119 for the preceding year.

The number of passengers carried was 46,415,421; being a decrease of 6,175,460 as compared with the year 1918. The decrease in the number of passengers carried was due to the suspension of Sunday trams for a period of six months on account of the coal shortage. The average fare paid per passenger was 3.14 cents.

The total income received from the gas plant amounted to \$2,342,000, and the expenditures were \$1,865,000, leaving a net profit of \$477,000. The quantity of gas sold during the year was 2,059,370,900 cubic feet, against 2,244,670,300 for the previous year. The quantity of gas produced for each ton of coal consumed was 12,292 cubic feet.

The sewage disposal plant known as "Stoke Farm" which is also operated by the city, showed a net profit of \$35,000, which added to the balance brought forward from the previous year of \$16,000, made a total net balance of \$51,000.



Present Status of the National Budget Bill.—The Good budget bill passed the house on October 21, 1919 by an almost unanimous vote and went to the senate. There was already before the senate the McCormick budget bill. (For a discussion of the proposals of these two bills see NATIONAL MUNICIPAL REVIEW, April, 1920, p. 219 ff.) During December and January hearings on the subject of a national budget were conducted by a committee of which Senator McCormick was chairman. Later the McCormick bill in a somewhat revised form was substituted for the bill which passed the house. This substituted bill passed the senate on April 3. Then a conference committee was appointed which reported a bill based on the senate and house proposals, setting up a budget bureau in the Treas-

ury Department and creating the independent office of comptroller general. This bill was passed by both houses and went to the President for his approval.

On June 4 President Wilson vetoed the bill and returned it to congress, which had already decided to adjourn *sine die* the following day. The President stated that he vetoed the bill because it gave to congress the authority to remove by concurrent resolution the comptroller general and the assistant comptroller general whose appointment by the President was provided for in the bill. This, he declared, was unconstitutional, since he regarded "the power of removal from office as an essential incident to the appointing power." However, he stated that he was in sympathy with the objects of the measure and expressed the hope that the defects might be remedied and the bill repassed before congress adjourned.

Immediately the house attempted to pass the measure over his veto, but failed by nine votes to secure the required two-thirds majority. The following day, June 5, the bill was reported in the house with an amendment giving the supreme court authority to appoint and remove the auditing officers. The Democratic side of the house protested and the Republican leaders agreed to place the two officers under the President, who would appoint them "with the advice and consent of the senate." The bill then passed and was sent to the senate. After it was reported by the senate budget committee the amended bill encountered on the senate floor a filibuster led by two Democratic senators, the result being that the hour for adjournment arrived before any action was taken on the bill. Thus the budget bill died in the senate.

Prior to the failure of the budget bill the house amended its rules increasing the membership of the committee on appropriations from twenty-one to thirty-five and vesting in this committee the authority to report all appropriations. This function is now performed by eight or nine separate House committees.

A. E. B.

II. JUDICIAL DECISIONS

Interpretation of Home Rule Charter.—Although article 9, section 16 of the Missouri constitution, allowing any city of over one hundred thousand people, to frame its own charter, provided that when the proposed charter shall be

ratified by the voters it shall supersede the existing charter, a provision in the charter adopted under such authority that improvements already begun should be continued under the provisions of the old charter was held valid in *Parker-*

*Washington Company v. Field*¹ and the question whether the new charter saved such a proceeding is one of the construction of the charter, not of the constitution.

✱

Special Assessments.—Suit was brought in the district court enjoining the city and county of Denver from enforcing an assessment ordinance passed to raise the necessary means to pay for certain park improvements. In a former case the supreme court of the United States had accepted the construction of the charter of the Colorado supreme court, and upon that construction determined its constitutional validity. The plaintiffs in this case did not avail themselves of the privilege of a hearing as provided by the section complained of, but after the assessing ordinance was passed began this proceeding in the district court to test the constitutionality of the law. The United States supreme court in the case of *Farncomb v. city and county of Denver*² affirmed the decision of the state supreme court in favor of the city and county of Denver.

✱

Garbage.—The validity of an ordinance, giving the city complete power over the collection of garbage, was before the court in this case. The plaintiff was the owner of a hotel who insisted on his right to dispose of the garbage from his hotel as he saw fit. The supreme court of Michigan in the case of *Pantlind v. Grand Rapids*³ sustained the ordinance as within the police power, saying "The rights of the plaintiff in this garbage must be subordinated to the general good. He is compensated in the common benefits secured by the ordinance."

✱

Regulation of Municipal Utilities.—The city of Springfield, Illinois, owns and operates an electric light plant producing electricity for its own use and sells the surplus to consumers for about one-half what they can buy it from other producers. The privately owned company in this case tried to enjoin the city from continuing the sale of current. The question in the case was whether the city was subject to the provisions of the public utilities act and to the supervision of the public utility commission. There was a decree for the defendant in the original hearing and the plaintiff appealed. The court held in *Spring-*

*field Gas and Electric Co. v. Springfield*⁴ that the public utilities act does not apply to city owned utilities, they being expressly excepted therefrom by section 10. There was a strong dissenting opinion in this case, holding that section 10 was unconstitutional.

✱

Billiard Halls and Poolrooms.—An Arkansas statute, making it unlawful to operate a billiard hall or poolroom for hire within three miles of any school or church in certain counties, was held not violative of the constitution, denying the general assembly the right to grant any citizen, or class of citizens, privileges or immunities not applying to all on the same terms in the case of *Caraway v. State*.⁵ The court held also that it was not arbitrary or unreasonable in its confiscation of property used in a business on which a city license tax had been paid pursuant to an ordinance valid when passed.

✱

City-Manager Plan Election.—The judge of the circuit court had issued an order following a special election on the question of the adoption of the city manager plan in Lynchburg, Virginia. The plaintiff, Harrison, was asking for a mandamus to compel the judge to issue a contrary order on the ground that the election was not carried by a majority of the qualified voters, but only by a majority of the votes cast. In the case of *Harrison v. Barksdale*⁶ the supreme court of Virginia such a majority was adequate and denied the mandamus on the theory that there was no specific language in the constitution calling for a different construction.

ROBERT E. TRACY.

✱

Massachusetts Judges Uphold Zoning Regulations Excluding Business and Tenements from Residential Districts.—The justices of the supreme court of Massachusetts have just rendered an opinion⁷ affirming in the broadest terms the validity of zone building regulations. Important as this is to the cause of zoning, its special significance is due to the fact that among the powers recognized as valid is that of excluding business, or business and tenements, from residential districts. Other phases of zoning are

¹ 126 N. E. 739.

² 219 S. W. 736.

³ 102 S. E. 789.

⁷ Massachusetts, House Document No. 1774, May, 1920.

¹ 219 S. W. 598.

² 40 Sup. Ct. Rep. 271.

³ 177 N. W. 302.

already supported by the weight of judicial opinion; on this phase the courts were divided, the judicial authorities being for the most part against its legality. The advocates of zoning believe that the power of excluding business from residential districts is essential and that of barring tenements in certain cases, most desirable. They have always maintained that the adverse cases were not well considered and would ultimately be reversed. The opinion of the Massachusetts judges is strong proof that they were right.

To the layman in his study of this opinion, a word of explanation with regard to the form in which the question came before the judges may be helpful. Under the Massachusetts constitution the legislature is authorized to ask the opinion of the judges of the court of last resort of the state on the constitutionality of proposed legislation. Article lx of the amendments to the constitution of the state, recently passed, provides that:

"The general court (*i.e.*, the legislature) shall have power to limit buildings according to their use or construction to specified districts of cities and towns."

A bill had been introduced into the legislature for this purpose, which included provisions for the establishment of districts from which business, or business and tenements, were to be excluded. It was the validity of this bill, if the legislature saw fit to pass it, which the justices affirmed. In so doing they say:

"The segregation of manufacturing, commercial and mercantile business of various kinds to particular localities, when exercised with reason, may be thought to bear a rational relation to the health and safety of the community. We do not think it can be said that circumstances do not exist in connection with the ordinary operation of such kinds of business which increase the risk of fire, and which render life less secure to those

living in homes in close proximity. Health and security from injury of children and the old and feeble and otherwise less robust portion of the public well may be thought to be promoted by requiring that dwelling houses be separated from the territory devoted to trade and industry. The suppression and prevention of disorder, the extinguishment of fires and the enforcement of regulations for street traffic, and other ordinances designed rightly to promote the general welfare, may be facilitated by the establishment of zones or districts for business as distinguished from residence. Conversely the actual health and safety of the community may be aided by excluding from areas devoted to residence the confusion and danger of fire, contagion and disorder which in greater or less degree attach to the location of stores, shops and factories. Regular and efficient transportation of the bread winners to and from places of labor may be expedited. Construction and repair of streets may be rendered easier and less expensive if heavy traffic is confined to specified streets by the business there carried on."

Nothing is said in the opinion with regard to the legality of the exclusion of tenements from certain districts, which the bill authorizes; but the fact that the court upholds the bill, which contains such a provision sufficiently affirms it. The constitutionality of the measure in Massachusetts, in view of the recent amendment, was not open to serious doubt. There remained, however, the question of its validity under the constitution of the United States, in which the clauses with regard to property rights usually contained in state constitutions throughout the United States, are to be found. The Massachusetts judges declare it as their opinion that such a measure would not violate these clauses. The opinion is therefore an authority to be cited in zoning cases throughout the United States and will without doubt greatly influence the courts in other states in their decisions on the validity of zoning laws and ordinances.

FRANK BACKUS WILLIAMS.

III. MISCELLANEOUS

Baldwin Prize for 1920 Awarded.—The William H. Baldwin Prize of \$100, offered by Mrs. George Burnham, Jr., through the National Municipal League, to the author of the best essay on a subject connected with municipal government, has been awarded to Humbert Francis Cofrancesco, of New Haven, Connecticut, for his essay on "The Influence of Foreign-Born Leaders in Municipal Politics." Mr. Cofrancesco is a member of the class of 1922 of

Yale University. He was born in America of Italian parents. His interest in his subject was therefore deep. The judges selected by our executive committee to consider the essays offered in competition and to award the prize were Colonel Henry M. Waite, formerly city manager of Dayton, Ohio, and John Foster Carr, of the immigrant publication society, New York.

The competition was open to undergraduate students registered in a regular course in any

college or university in the United States offering direct instruction in municipal government. Among those submitted were essays by students of Yale, Harvard, the University of California, and Radcliffe College.



New York Governor Vetoes Fanatical Bills.

—Reference has already been made in the REVIEW to some of the remarkable pieces of legislation attempted by the New York state legislature, as a result of the expulsion of certain Socialist members, and of the investigation into seditious activities conducted by the Lusk committee. The more notable of these measures were as follows:

1. Bills to give jurisdiction to the appellate division of the supreme court, third department to pass upon the aims and purposes of political parties, determine whether any party holds doctrines which tend to be dangerous to the government and institutions of the state or nation, and if it finds such dangerous tendencies, to absolutely bar such party from a place on the ballot and exclude its members from the holding of public office.

2. A bill to provide for the licensing of all private schools and private classes of whatever description and to give to the department of education power to revoke such licenses whenever such schools or classes are being conducted in a manner detrimental to the public interests.

3. A measure prescribing that every teacher in the public schools must secure a loyalty certificate in order to teach and providing that such certificate may be arbitrarily revoked by the commissioner of education for any act or utterance showing to the satisfaction of the commissioner that the teacher is not loyal to the constitution, laws and institutions of the United States and of the state of New York. No provision was made for a hearing.

4. A bill to set up in the office of the attorney general what would be in essence a secret police, its personnel to be exempt from civil service examinations and its specialized function to be the hunting out and prosecution of criminal anarchy.

All these bills passed both houses of the legislature by large majorities. They were to a considerable extent supported by members of the minority party and by representatives coming from New York city as well as from other parts of the state. It would seem, however, that upon the question of repressive legislation the great

New York newspapers were much more liberal than the members of the legislature. In the last analysis only one important daily in New York city supported the bills. One evening paper made the witty suggestion that the attempt to control thought should have been made by an amendment to the Sullivan law. This is the New York statute prohibiting the carrying of concealed weapons.

The hearing held before the governor was most impressive. Opposition had been led by the Bar Association, the City club and other associations. About forty organizations of all sorts were represented at the hearing against the bill, whereas the support came almost entirely from counsel for the Lusk committee. Governor Smith has vetoed all these bills. The veto messages are classics of crispness and clear reasoning. If space allowed, the editors of the REVIEW would be glad to print them in full. They will, perhaps, mark an important turning point in American public opinion.

RAYMOND V. INGERSOLL.



First Meeting of the Southwestern Political Science Association.

—On April 16 and 17, 1920, at the University of Texas, Austin, Texas, there was held the first annual meeting of the southwestern political science association. This new association was organized in the winter of 1919 by the faculty of the school of government of the University of Texas for the purpose of stimulating and promoting the study of political science, with particular reference to the southwestern states. The movement for the launching of this organization grew out of the conviction that persons interested in the study of governmental problems in this section of the country needed the stimulus to be derived from meetings and from the possibility of the publication of a political science journal, which is not sufficiently supplied by the national organizations operating in this field of knowledge. The national association meetings rarely come within a thousand miles of the geographical center of the southwest and the time and expense involved in attending them make it impossible for any but a very few persons ever to benefit in that way. Furthermore, the space for publication in the national journals is so limited that discussions of matters of local or sectional interest cannot find a place therein. Yet some of these local and sectional questions are of more immediate interest to persons interested in political science than are the more gen-

eral topics discussed in the national journals. Added to these considerations is the fact that the southwest has a certain community of historical, economic, social, and political considerations which make it a somewhat homogeneous section, as well as an area sufficiently restricted, in spite of its enormous extent, to make it possible for many persons to attend meetings held within its confines who could rarely, if ever, make the trip to the northeastern portion of the United States in which the national meetings are usually held. Accordingly, Arizona, New Mexico, Texas, Oklahoma, Arkansas, and Louisiana were combined in the territory for which this association is to function with headquarters at the University of Texas. This University not only by reason of its having developed political science much more extensively than has any other institution in the southwest, but also because of its central location seemed to be the logical center from which such a movement should emanate and at which it should head up.

The first annual meeting comprised a two-day program with four sessions. The first session, presided over by Professor E. R. Cockrell of Texas Christian University, consisted of addresses of welcome to the association on behalf of the state of Texas by Colonel Alvin W. Ousley, assistant attorney general of Texas; on behalf of the city of Austin by the Hon. W. D. Yett, mayor of Austin; and on behalf of the University of Texas by Dr. H. Y. Benedict, dean of the college of liberal arts, University of Texas. These were followed by the presidential address of Dr. Herman G. James of the University of Texas, first president of the association, on "The Meaning and Scope of Political Science."

The second session of the meeting, presided over by Mr. C. P. Patterson of the University of Texas, first secretary-treasurer of the association, was devoted to the principal address of the meeting by Professor Albert Bushnell Hart of Harvard University who spoke on "Uncle Sam's Job."

The third session, presided over by the Hon. A. P. Wooldridge, for ten years mayor of Austin, consisted of four addresses. Professor E. R. Cockrell of Texas Christian University read a paper on "Municipal Home Rule in Texas." Professor F. F. Blachly of the University of Oklahoma read a paper on "Municipal Home Rule in Oklahoma." Professor C. G. Haines of the University of Texas presented a paper on "The Reorganization of State Administration." Pro-

fessor C. S. Potts of the University of Texas addressed the meeting on "Judicial Reform in Texas."

The fourth session, presided over by Professor C. S. Potts of the University of Texas, was devoted to the general topic of "Women and Government." Professor Mary E. Gearing of the University of Texas spoke on "The Part Played by Women in Government Without the Ballot," and Mrs. A. C. Ellis, secretary of the Texas women's voters' league, spoke on "The History and Purposes of the Women's Voters' League." The addresses were followed by a round table discussion of the general topic.

The meeting closed with a dinner in honor of Professor and Mrs. Albert Bushnell Hart, tendered them by the association.

At the business meeting of the association the following officers were elected for the year 1920-1921: President, Hon. A. P. Wooldridge of Austin; First Vice-President, Mr. George B. Dealey, president and general manager of the *Dallas News*, Dallas, Texas; Second Vice-President, Professor F. F. Blachly of the University of Oklahoma; Third Vice-President, Professor D. Y. Thomas of the University of Arkansas; additional members of the executive committee of the association, Professors E. R. Cockrell of Texas Christian University, and E. T. Miller of the University of Texas.

At the meeting of the executive committee, Mr. C. P. Patterson of the University of Texas was re-elected secretary-treasurer for the ensuing year, and Professor C. G. Haines was chosen as editor of the *Southwestern Political Science Quarterly*. These officers, together with those elected by the Association, and Professor H. G. James as past president constitute the executive committee of the association.



New Constitution Association of Missouri.—The present constitution was adopted in 1875, and has been outgrown. It not only contains many provisions that are out of date but seriously hampers the growth and development of the state by its restrictions.

The new constitution association of Missouri was organized in December, 1919, for the purpose of bringing together and making effective the efforts of those who believe a new constitution is necessary. It opened headquarters at 1220 Federal Reserve Bank Bldg., St. Louis, Mo., and employed William M. Ledbetter, a former newspaper man with a wide acquaintance

throughout the state, as executive secretary. Dr. W. H. Black, of Marshall, is president of the association; J. Lionberger Davis, chairman of the executive committee, and R. F. McNally, treasurer. A strong and representative personnel completes the organization.

Before adopting a plan of action the association sent out letters to about 2,000 representative people in all parts of the state, asking whether in their opinion a new state constitution is needed, and what steps should be taken to bring it about. As a result of this survey, and of many conferences held by members of the organization, the following program has been mapped out:

1—The submission, by means of initiative petitions, of an amendment to the present constitution changing the method of electing district delegates to the constitutional convention, so that such delegates shall be chosen on the bipartisan plan. There will also be fifteen delegates-at-large.

2—The submission, by means of the initiative, of a proposition calling for a special election in August, 1921, to vote upon the question, "Shall a convention be held to revise and amend the constitution?" Both of the above propositions will be voted upon, if the required number of voters sign the petitions now being circulated, at the election in November, 1920.

3—The close scrutiny, by members of the association of all candidates for the state senate, or house of representatives, and obtaining pledges from candidates for these offices, from all political parties, that they will, if elected, vote and work for a new constitution.

4—To agitate and keep before the people of the state the question of a new constitution until it is assured.

The proposal for bipartisan election of delegates to the constitutional convention was found to be the only solution of the difficulty encountered at the last session of the legislature, when a partisan squabble prevented the submission of the question to the voters. The advice of such well-known lawyers as Judge Henry Lamm, Speaker Samuel F. O'Fallon of the Missouri house of representatives, John M. Atkinson, Ben A. Wood, Judge Geo. C. Hitchcock, J. Lionberger Davis, Roy D. Williams, Judge Hugo Muench, Prof. Isidor Loeb of the State University, and Robert Lamar, president of the state bar association, was sought, and the proposed constitutional amendment as finally agreed upon,

was drafted by a sub-committee composed of Messrs. Atkinson, Hitchcock and Muench.

The association is now engaged in circulating the petition containing propositions 1 and 2 and in educational work among the voters. More than fifty organizations have formally endorsed the movement and the two leading political parties have declared for it in their platforms. There is no organized opposition to it, and no serious objection except on the part of those who always oppose change and object to progress.

The association seeks to make clear the fact that it is not trying to write the new constitution at this time, but merely to have submitted to the voters of the state the question whether there shall be one, and to insure the election of delegates to such a convention on a fair and representative basis, so the body will be free from partisan bias. The biggest, most broadminded men and women of the state should be elected as delegates, regardless of politics.

A necessary part of the work of the association has been the raising of funds with which to defray its expenses. It was estimated at the start that \$15,000 would be required to carry on the campaign until after the November election. Of this \$5,000 was apportioned to St. Louis, \$3,000 to Kansas City, \$1,000 to St. Joseph and smaller sums elsewhere. St. Louis has raised her quota and Kansas City is raising hers. The teachers of the state have a fund of \$2,500, which will be turned over as soon as \$12,500 is raised from other sources.

On the basis of the work already accomplished and mapped out, the new constitution association of Missouri desires, and believes it deserves, the moral and financial support of all progressive Missourians.



Cleveland Establishes Municipal Research Bureau.—Cleveland is the latest city of importance to join the ranks of those to support and foster research in government. February 1, there was established a bureau of municipal research under the welfare federation of Cleveland. The bureau is controlled by a committee of five prominent citizens, chosen by the board of trustees of the welfare federation. This committee is made up of D. E. Morgan and A. E. Benesch, attorneys, both formerly public officials; E. B. Thomas, engineer, formerly president of the Cleveland engineering society; P. W. Harvey, capitalist and philanthropist; W. G. Lee, president of one of the railroad brother-

hoods and C. W. Brand, a prominent buisness man. The director in charge is L. E. Carter, formerly with the Civic League of Cleveland.

✱

Death of Captain Walton.—Captain John M. Walton, controller of the city and county of Philadelphia for over a quarter of a century, and widely known throughout the United States and many foreign countries by reason of his model accounting system as well as his knowledge of municipal requirements and acquaintance with modern finance, died very suddenly on March 21, 1920. After several terms in the common council, he was in 1895 appointed to fill the unexpired term of the resigning controller. He was re-elected at each subsequent election, including the election of 1919. As controller he installed in 1910 a modern system of accounting, reporting, business procedure and budget making, which has been followed by many large and small American cities. In 1913 Controller Walton published the first edition of "Manual of Accounting, Reporting and Business Procedure of the City and County of Philadelphia," the second edition of which appeared in 1917.

✱

Milwaukee City Club Abandons P. R.—The City club of Milwaukee by a recent amendment

to its by-laws has returned to the old plurality system of electing its board of governors. The statement against the continuance of the Hare system circulated with the referendum ballot declared that it was not understood by the members with the result that too many were disfranchised because of defective ballots; and that it made it possible for a small group to elect a governor who might be objectionable to the majority. Evidently the majority do not agree with the essential principle of proportional representation. The statement circulated in favor of proportional representation called attention to the advantages in favor of club unity in a system which permitted minority views full opportunity to be heard.

✱

Enter "Visual Education."—This is the title of the attractive little magazine published by the recently organized visual education society, of which our treasurer, Mr. Frank A. Vanderlip, is the chairman of the board of directors. The purpose of the society is to develop the appeal to the eye in educational matters. Among the important committees are those on civics, Americanization and health and sanitation. All means from blackboards to movies are to be utilized.

CITY MANAGER MOVEMENT

PROGRESS OF MANAGER PLAN IN ONE HUNDRED EIGHTY-FIVE CITIES

BY HARRISON GRAY OTIS

This is the third installment of short stories compiled by the City Managers' Association, showing how the various towns and cities are progressing under the new form of government. :: :: :: ::

II. CITY MANAGERS IN AND AROUND OHIO

OHIO is the center of the section second in importance to the progress of the city-manager movement, as it was largely due to Dayton and Springfield, Ohio, that the commission-manager plan of government has been generally popularized. Akron, Ohio, is the largest city under the new plan, according to the verdict of the census man. West Virginia and Kentucky, with their three manager cities, are grouped with Ohio for convenience.

OHIO

Whenever the term "city manager" is mentioned, the average person thinks at once of Dayton, which was the first large city to adopt the new idea. The development and success of the manager plan in Dayton have recently been chronicled by C. E. Rightor in a most readable book: "City Manager in Dayton." Corresponding achievements attributable to city manager government have been brought about in several other Ohio cities.

Akron Starts with Building Code and Zoning

AKRON. Population, 208,000. Commission-manager charter effective January 1, 1920. W. J. Laub, city administrator; salary \$10,000.

Akron's population has increased ap-

proximately 200 per cent in the last few years which means that her municipal problems have increased in almost the same ratio. Much additional territory has recently been annexed to the city and must be provided with adequate service including an extension of the street car system. A new building code, to meet and regulate present day conditions, has been drafted, and a complete zoning system which will define residential and industrial districts is being worked out. Plans for the material extension of sewer and water systems have been perfected and construction will begin shortly.

Mr. Laub is forty-one years old, an attorney by profession, and served two years as mayor of Akron, being again elected mayor in November, 1919, to take office January 1, 1920. Instead of so doing, he accepted the position of "chief administrator" to which he was elected by his colleagues on the council.

Welfare Work in Dayton

DAYTON. Population, 153,830. Commission-manager charter effective January, 1914. James E. Barlow, the second manager, succeeded Henry M. Waite, March, 1918; salary \$7,500.

Perhaps the most noticeable gains made in Dayton this past year are those in the field of public welfare. The

welfare department publishes its own annual report which is attractively illustrated and constitutes a definite contribution to municipal literature. The monthly reports are also very complete and evidence a genuine and constructive interest in the welfare of the citizens. Most cities would be content to rest upon their laurels if they could match Dayton's record of having the lowest death rate of infants under one year of age of any city in the state, yet a recent report calls attention to the high rate of mortality of infants under thirty days of age and outlines a campaign to solve the problem.

The free employment bureau during a single month received 1,270 applications for work, 1,019 requests for men and placed 830 applicants.

The city plowed 1,727 lots for gardens.

A social investigator has been employed and checks up applications for free hospital treatment with a noticeable falling off in the number. In one case it developed that the request for such assistance was made because of the money required to repair the applicant's automobile injured in the accident.

The story of Dayton has been so fully and so frequently told that no attempt is here made to comment upon the constructive record of Colonel Waite who was the country's first "big city" manager.

Mr. Barlow is thirty-nine years old, a civil engineer with considerable municipal experience. He was director of public service in Dayton prior to his promotion to the managership.

Progress under Financial Handicap

SPRINGFIELD. Population, 65,000. Commission-manager charter effective January, 1914. Ossian E. Carr succeeded Charles E. Ashburner as manager September, 1918; salary \$6,000.

He has just accepted the position of manager at Dubuque, Iowa, at \$8,400.

Springfield, in common with other Ohio cities, has been compelled to reduce expenditures to keep within the very limited income permitted by the state law. The rate for municipal operating expenses is kept down to between \$3.50 to \$4.00 per thousand. The city has no choice in the matter of valuation which is left in the hands of county officers.

During the first two years under the plan, Springfield wiped out all her old floating debt handed down from the previous administration. The first year of the war caused an operating deficit of \$31,000, which 1918 increased to about \$89,000. Last year this was kept down to \$31,000, which is considered a real achievement, since the receipts from liquor tax were reduced three fifths and salaries and wages materially increased.

Considerable paving was done during 1919 and a saving of some two dollars per square yard made by using redressed Medina blocks instead of purchasing new granite blocks. Some five miles of sewer and three miles of sidewalk were constructed. Three thousand feet of thirty inch sewer, on which no bids could be secured, is being completed by force account.

A \$70,000 extension to Springfield's water supply system was begun in September and when completed will furnish an adequate supply for many years. In the past the water system has received about 60 per cent of its income from metered services, which accounted for but about 40 per cent of the water pumped, indicating too large a consumption by the unmetered customers. Consequently, in 1919, the flat rates were increased about 30 per cent with the result that some 2,000 new meters were immediately purchased to the city's advantage.

A free venereal clinic has been established by the health department and through co-operation with local organizations three additional welfare nurses employed.

Mr. Carr is forty-three years old, a civil engineer by training, and has served as city manager at Cadillac, Michigan, 1914 and 1915, and at Niagara Falls, New York, from January 1, 1916 to September, 1918.

Economy and Efficiency at Sandusky

SANDUSKY. Population, 25,000. Commission-manager charter effective January, 1916. George M. Zimmerman, the third manager, was appointed April, 1918; salary \$5,000.

Since the introduction of the manager plan, the city has reduced its bonded debt \$230,000 besides paying off some \$25,000 inherited floating debt. On January 1, 1919, there was a deficit of \$26,565, which during the year was reduced by \$17,395, and for the first time in many years the sinking fund has investments to its credit. In spite of the high cost of labor and materials the operating expenses for 1919 were some \$3,000 less than in 1914 or 1915, the two years preceding the adoption of the new plan, and the city has a credit balance of more than \$4,000 in its operating fund.

During the past year the water works system has been improved to the extent of \$46,640, including the installation of new boilers and laying of added mains. Of this amount \$23,000 was provided from surplus on hand, the remaining \$23,640, in addition to \$31,608, which was transferred to the sinking fund, was paid from the earnings of the department, and there is still a credit balance.

By proper attention to leaks and repair service, the amount of water pumped was reduced more than 180,000,000 gallons with a corresponding

reduction of some 300 tons of coal. The operating expenses for the water department were \$7,500 less than in 1915.

Other departments show corresponding improvements. A motor police patrol has been purchased and put in commission, street signs have been renewed and extended and new heating plants installed in city buildings. A bond issue of \$15,000 has been voted for the construction of a public comfort station, which will be erected soon. An editorial comment in a Sandusky paper concludes: "We have been fortunate. We have been able to live within our limited means, thanks to efficient and far-seeing management that made every dollar count. For this credit is due not only to the commission, the manager and other officials, but to the system, with its elimination of politics and co-ordination of departments."

Mr. Zimmerman is forty-eight years old and his training has been primarily that of a business executive. He served as city treasurer for a short time prior to his appointment as manager.

Service Creates a Satisfied Citizenship

EAST CLEVELAND. Population, 25,000. Commission-manager charter effective January 1, 1918, with C. M. Osborn as manager; salary \$6,000.

A recent report from Mr. Osborn sums up the achievements of the past year as follows:

We have purchased a permanent home for our street department, giving us ample barn room for our city teams, tools and equipment.

We have established an electrical department, placing in charge a competent electrician on full-time basis, thus assuring us of better inspection on new construction and repair work; also assuring us of the proper maintenance of our police and fire alarm system.

We have placed our fire department on the two-platoon system, requiring each platoon to be on duty twenty-four hours and off duty

twenty-four hours. This change has increased the efficiency of the department by giving us a more active group of men on duty, and has also increased the efficiency of the department by increasing the available man power of the department above 9 per cent.

We have established a policy to "pay as we go," and to borrow money for operating expenses only as a last resort. The city commission believes it poor business to go into debt to take care of operating expenses, and thus require our children or our children's children to pay our operating expenses of today. Following out this policy, the commission authorized a special tax or assessment to pay for the street lighting, street repair and street cleaning for 1920, thus making it unnecessary to borrow money for these activities.

We have been able to operate our city during 1919 on the amounts appropriated for this purpose, and have a substantial balance in our operating fund at the end of the year.

We have given the class of service that our citizens require and demand, and in this way have been able to create a satisfied people.

Mr. Osborn, the manager, is forty-six years old, a civil engineer, and experienced in municipal engineering prior to his appointment. His salary has been increased twice within two years.

Live Within Income

ASHTABULA. Population 23,000. Commission-manager charter with proportional representation effective January, 1916. W. H. Turner, the second manager, was appointed January, 1918; salary \$3,000.

The tax rate has not been raised while the cost of labor and materials increased 50 per cent or more, yet Ashtabula finished the year 1919 without borrowing money for current expenses and without a deficit. The city ordinances have been revised, codified, and published. Legislation has been passed authorizing the purchase of the street car line and its operation as a municipal enterprise. A police pension fund has been established, fire department reorganized on the two-platoon system,

twenty-four hours on duty, twenty-four hours off duty, and four men added to the force.

The plan of cindering unpaved streets had proved successful and popular. Two hundred and fifty carloads of cinders were used in those heretofore cindered and forty-six additional streets have been taken care of in the same manner.

The electric light plant has been enlarged and the service considerably extended during the year. The output of the plant will be doubled, according to plans now being carried out.

Mr. Turner is fifty-three years old and a business man. He served as director of public service as Ashtabula for four years, 1912-16.

Less Expense, More Results

XENIA. Population, 10,000. Commission-manager charter effective January, 1918, with Kenyon Riddle as manager; salary \$3,600.

The first two years under the new plan have changed the inherited deficit of \$350 to a credit balance of \$2,316. This is a real showing considering the limitations of the Ohio "Smith one per cent law." The fire equipment has been motorized and it is estimated the cost will be more than met by the saving in horse feed. The alarm system has been changed, the personnel of the department reduced and salaries increased 50 per cent. It is estimated that the total cost of the present department is \$700 per year less than its inefficient predecessor.

In 1917, the health department cost \$3,866 while it now costs about \$1,700, the saving being due to strict inspection and preventive work.

Mr. Riddle stresses the value of citizen co-operation as follows:

"Public welfare work has been greatly extended under the new plan and upon the manager's recommendation the

American City Bureau was invited to reorganize the chamber of commerce, with the result that this body now has a membership of 425 members at \$25 per year dues."

"Such an organization," in the words of the manager, "is the best medium through which the city administration can deal with the people."

Mr. Riddle is thirty-one years old, a civil engineer, and served as city manager at Abilene, Kansas, from 1913 to 1917 before being appointed to his present position at Xenia.

Business Methods Mean Money in Bank

WESTERVILLE. Population, 3,100. Commission-manager charter effective January 1, 1916. R. W. Orebaugh, the second manager, was appointed September, 1917; salary \$2,100.

Under the new plan the entire finances of the village have been reduced to modern budget procedure and a new accounting system has been installed. Public health, welfare and service have been improved. There has been no increase in taxes, yet the city lives within its income and has money in the bank.

The program of improvements including extension of water and light system, sewer mains, and streets, has been carried on from current funds in spite of the fact that labor and material have increased from 50 to 100 per cent in cost.

In calling attention to the village finances, the manager frankly gives credit to the form of government which he advises is proving very popular in Westerville.

Mr. Orebaugh is a civil engineer, thirty-eight years old.

Plan Works in Small Village

SOUTH CHARLESTON. Population, 1,400. Commission-manager charter

effective January, 1918. P. H. Cheney, manager; salary \$1,600.

A local paper in commenting upon the first annual report says: "This form of government has proven a wonderful success in South Charleston. Streets have been improved, water works pays its own way and has a balance."

The first year ended with all work complete and money in the treasury. Motorequipment has reduced expenses, and increased efficiency. Traffic signs have been placed on the main street and all hitching racks removed to side streets. The village purchased a tapping machine, and the saving in operation cost has nearly paid for the machine.

The health officer has been particularly active, and sanitation has been increased. The fire department has been improved by remodeling the engine house, motorizing the equipment and unused chemical engines were disposed of to advantage. The salaries of the night patrol men have been increased, but added duties have resulted in a net saving to the city. The balance in the water works account was increased during the year from \$41 to \$1,717.

A citizen writes: "We thoroughly believe in the commission-manager form of government."

Mr. Cheney is forty years old and held various township offices before being appointed manager.

PAINESVILLE. Population, 6,750. Commission-manager charter effective January 1, 1920. Thomas B. Wyman, manager; salary \$4,000.

Mr. Wyman is a forester by profession and has had public service experience as chamber of commerce secretary and president of the school board and city council of Munising, Michigan. He is thirty-nine years old.

GALLIPOLIS. Population, 6,070. Commission-manager charter effective January, 1918. Edward E. Myers, manager; salary \$1,500.

WEST VIRGINIA

But two West Virginia cities have adopted the manager plan—Wheeling and Charleston.

Confidence of Voters Shown by Bond Vote

WHEELING. Population, 80,000. Commission-manager charter effective July, 1917. Charles O. Ephlin, the second manager, was appointed June, 1919; salary \$8,000.

A unique feature of the Wheeling charter is that it requires the manager to be a local man prior to his appointment. In spite of this handicap, the city has been fortunate in the selection of two able managers. It is reported that the plan is giving very general satisfaction. There is no stronger evidence of this than the fact that heretofore it has been most difficult to secure the passage of bond issues for much needed improvements whereas recently the voters authorized \$1,000,000 for street paving and will doubtless vote an additional \$2,000,000 soon for improvement and extension of the water plant.

Another evidence of the confidence the people have in the new plan is the fact that a large suburban section has been added to the city increasing the population to some 80,000.

Manager Ephlin writes: "I doubt if there is a single tax payer in our community who would favor a return to the cumbersome, inefficient and inadequate plan of the past."

Mr. Ephlin is forty-six years old, has had a successful business career, and has served as president of the county board of commissioners in which posi-

tion he gained a valuable knowledge of road building and general public work.

Freak Charter at Charleston

CHARLESTON. Population, 43,000. Created the position entitled manager by charter effective May, 1915. Bonner H. Hill, the fourth appointee, took office May, 1919; salary \$4,500.

Charleston's charter is perhaps the most unusual, unwieldy, and unfortunate of any in the country which bears a semblance to the city-manager type. The charter provides for a board of twenty members and a mayor, whose salary shall be not less than \$3,000. It stipulates that the mayor shall appoint the city solicitor, chief of police and all policemen, humane officer, building inspector, collector, city auditor, engineer, health commissioner, lockup keeper, and the chief of the fire department. None of these appointments require the confirmation of the council or the manager, and the mayor is given full and complete power of removal. The mayor also appoints the manager, with the consent of the council. The manager may "employ one clerk at such salary as the council may fix and such other help as he may require and the council may from time to time allow." On the other hand, the manager is given "supervision and control of the executive work and management of the heads of all departments under his control as directed by the mayor." Thus the charter places a heavy responsibility upon the manager without giving him adequate power to produce results.

One who is most familiar with the local situation writes: "I do not think our city government is a good one, and I am sure that you would not care to publish my personal opinion of the city-manager form of government as operated in this city."

Mr. Hill is forty-six years old,

trained in general business and mine management.

KENTUCKY

Prompt Attention to Complaints

CYNTHIANA. Population, 5,000. A modified manager plan became effective, December, 1915. J. J. Curle, the second appointee, succeeded Daniel Durbin in December, 1918.

After three years' experience Mr. Durbin wrote:

"Under the old aldermanic form of government 'everybody's business was nobody's business'; hence things were neglected or left undone. Under the commission-manager form difficulties and troubles are taken up and disposed of promptly, and at much less cost."

Double-entry bookkeeping has been installed; arrearages in taxes, licenses and water rents have been computed and collected. City funds placed at 4 and 5 per cent interest. Interest-bearing city warrants issued in lieu of borrowing at the banks. The tax rate has been reduced from \$1.45 to \$1.30 and then to \$1.25 on \$100 valuation. The annual cost of street lighting has been reduced from \$6,000 to \$3,750 without decreased service. Streets are in better condition than for years. There was less than \$200 in the treasury January 1, 1916,—there was a balance of \$8,658 January 1, 1918.

ADDITION TO "DIXIE" REPORTS¹

Eighth Year Best Yet

FREDERICKSBURG, VIRGINIA. Population, 5,882. Manager plan provided by ordinance September, 1912. R. Stuart Royer, the first manager, was succeeded by L. J. Houston, Jr., October, 1918; salary \$3,600.

¹ This report from Fredericksburg was omitted by oversight from the Virginia symposium appearing in our May issue.

The eighth annual report of Fredericksburg under the city-manager plan, published January, 1920, gives evidence that the previous record of achievements, which has received favorable comment throughout the country, is still being improved upon. During the year 1919, the available current revenue was over \$2,000 less than the preceding year, yet the amount appropriated for schools was more than \$4,000 greater, and permanent improvements to the extent of \$33,200 were constructed from current funds, some \$20,000 over the record of the preceding year. The general operating expenses of the city were decreased \$23,700 and yet all departments have been maintained in good condition and extensive repairs made to city property.

The municipal gas plant has been materially improved and is now a revenue producing asset. A mile of new gas mains has been laid and the service correspondingly increased. The gas output for 1919 was 10 per cent greater than that of 1918 but by efficient management the consumption of coal was reduced 400 tons.

Sewer system, water system, and streets were extended and improved and a comprehensive water survey of the entire city made. The profits of the water works plant amounted to nearly \$10,000.

A general stores and shop system established last year is proving its value in many ways.

The manager's report concludes with a comprehensive summary of plans for 1920. In commenting upon this report, Mayor J. P. Rowe states: "It is continued evidence of the wisdom of the city manager plan of municipal government."

Mr. Houston is thirty-nine years old, a civil engineer by training, and experienced in railroad construction prior to his appointment as city manager.

NATIONAL MUNICIPAL LEAGUE COMMITTEES, 1919-1920

ADMINISTRATIVE COMMITTEES

EXECUTIVE COMMITTEE

Col. Henry M. Waite, Chairman, New York	Prof. W. B. Munro, Cambridge, Mass.
Dr. Charles A. Beard, New York	Lawson Purdy, New York
Richard S. Childs, New York	Clinton Rogers Woodruff, Philadelphia
Mayo Fesler, Brooklyn, N. Y.	Hon. Charles E. Hughes, <i>ex officio</i> , New York

Dr. Harold W. Dodds, *ex officio*, New York

INTERCOLLEGIATE WORK

Prof. L. E. Carter, Cleveland, Ohio

PRIZES

Prof. E. A. Cottrell, Leland Stanford, Jr. University, Cal.

INVESTIGATING COMMITTEES

CIVIL SERVICE EFFICIENCY AND MUNICIPAL PENSIONS

Col. William G. Rice, Chairman, Albany, N. Y.
E. O. Griffenhagen, Chicago, Ill.
Darwin R. James, Jr., Brooklyn, N. Y.
Lawson Purdy, New York
Dr. Don C. Sowers, Akron, Ohio

COUNTY GOVERNMENT

Franklin N. Brewer, Chairman, Philadelphia
Dr. Charles A. Beard, New York
Prof. Edward C. Branson, Chapel Hill, N. C.
John E. Brindley, Ames, Iowa
Harold S. Buttenheim, New York
Otho G. Cartwright, White Plains, N. Y.
Prof. Fred W. Catlett, Seattle, Wash.
Mrs. Caroline Bartlett Crane, Kalamazoo, Mich.
Richard S. Childs, New York
George H. Dunlop, Hollywood, Cal.
Hon. William Dudley Foulke, Richmond, Ind.
H. S. Gilbertson, New York
Prof. William G. Guthrie, New York
LeRoy Hodges, Richmond, Va.
Hon. Morton D. Hull, Chicago, Ill.
Prof. Chester Lloyd Jones, Madison, Wis.
Percy V. Long, San Francisco, Cal.
Albert McC. Mathewson, New Haven, Conn.
C. C. Maxey, New York
Prof. Charles E. Merriam, Chicago, Ill.
Prof. Howard L. McBain, New York
Samuel P. Orth, Ithaca, N. Y.
Hon. Arthur N. Pierson, Westfield, N. J.
Lawson Purdy, New York
Mark L. Requa, Oakland, Cal.
Herbert R. Sands, New York
Pres. Isaac Sharpless, Haverford, Pa.
George C. Sikes, Chicago, Ill.
Seward C. Simons, Los Angeles, Cal.
Elvin Swarthout, Grand Rapids, Mich.

Joseph Walker, Brookline, Mass.
Hon. Lewis N. Works, Los Angeles, Cal.
Clinton Rogers Woodruff, Philadelphia

FEDERAL RELATIONS TO AMERICAN MUNICIPALITIES

David C. Adie, Minneapolis, Minn.
Harold S. Bittenheim, Chairman, New York
Dr. Herman G. James, Austin, Tex.
Hon. L. S. Rowe, Philadelphia
Leroy E. Snyder, Rochester, N. Y.
Frank B. Williams, New York

FRANCHISES

Dr. Delos F. Wilcox, Chairman, Elmhurst, N. Y.
Alfred Bettman, Cincinnati, Ohio
John P. Fox, New York
Jacob A. Herzfeld, Kansas City, Mo.
Stiles P. Jones, Minneapolis, Minn.
Prof. W. M. Leiserson, Toledo, Ohio
George C. Sikes, Chicago, Ill.
Clinton Rogers Woodruff, Philadelphia

MODEL CITY CHARTER

Dr. A. Lawrence Lowell, Chairman, Cambridge, Mass.
M. N. Baker, Montclair, N. J.
Prof. Frank G. Bates, Bloomington, Ind.
Richard S. Childs, New York
Prof. John A. Fairlie, Urbana, Ill.
Mayo Fesler, Brooklyn, N. Y.
Prof. A. R. Hatton, Cleveland, Ohio
Prof. Herman G. James, Austin, Tex.
Prof. William Bennett Munro, Cambridge, Mass.
Robert Treat Paine, Boston, Mass.
Thomas H. Reed, San Francisco, Cal.
Dr. Delos F. Wilcox, Elmhurst, N. Y.
Clinton Rogers Woodruff, Philadelphia

MODEL MUNICIPAL INDEBTEDNESS LAW

William Henry Hoyt, Chairman, New York
Hon. Walter L. Fisher, Chicago, Ill.
John D. Fackler, Cleveland, Ohio
Prof. John A. Fairlie, Urbana, Ill.
Otto Kirchner, Detroit, Mich.
Prof. H. H. Lutz, Oberlin, Ohio
Prof. William B. Munro, Cambridge, Mass.
Frank A. Vanderlip, Scarborough, N. Y.
Lionel Weil, Goldsboro, N. C.
John A. Zangerle, Cleveland, Ohio

MUNICIPAL COURTS

Herbert Harley, Chairman, Chicago, Ill.
Hon. Harry Olson, Chicago, Ill.
Wilfred Bolster, Boston, Mass.
Justice Edward J. Lauer, New York
Prof. Roscoe Pound, Cambridge, Mass.
Hon. W. A. Ransom, New York
Thomas Raeburn White, Philadelphia

MUNICIPAL INFORMATION

Frederick Rex, Chairman, Chicago, Ill.
Dorsey W. Hyde, Jr., Detroit, Mich.
Wendell F. Johnson, Toledo, Ohio
C. B. Lester, Madison, Wis.
Miss Winifred B. Merrill, Milwaukee, Wis.
H. H. B. Meyer, Washington, D. C.
Cyrus C. Pashby, Memphis, Tenn.
Samuel H. Ranck, Grand Rapids, Mich.
Clinton Rogers Woodruff, Philadelphia
Joseph Wright, Cambridge, Mass.

SOURCES OF REVENUE

Dr. Luther H. Gulick, Chairman, New York
Harrison S. Keeler, Chicago, Ill.
Dr. Robert Murray Haig, New York
Miss Mabel Newcomer, Poughkeepsie, N. Y.
A. C. Pleydell, New York
Prof. William A. Rawles, Bloomington, Ind.

STATE GOVERNMENT

Hon. Charles E. Hughes, Chairman, New York
Dr. Charles A. Beard, New York
A. E. Buck, New York
Richard S. Childs, New York
Major W. F. Dodd, Springfield, Ill.
Dr. H. W. Dodds, New York
Prof. John A. Fairlie, Urbana, Ill.
Raymond V. Ingersoll, New York
Prof. Isidore Loeb, Columbia, Mo.
Clinton Rogers Woodruff, Philadelphia
Lindsay Rogers, Charlottesville Va.
A. E. Sheldon, Lincoln, Neb.

UNIFORM CITY REPORTS

Dr. L. D. Upson, Chairman, Detroit, Mich.
Miss H. Marie Dermitt, Pittsburgh, Pa.
R. P. Farley, Baltimore, Md.
C. M. Fassett, Spokane, Wash.
Dr. A. R. Hatton, Cleveland, Ohio
E. I. Lewis, Indianapolis, Ind.
J. Horace McFarland, Harrisburg, Pa.
Dr. Raymond Moley, Cleveland, Ohio
Prof. W. B. Munro, Cambridge, Mass.
Harrison Gray Otis, New York
Mrs. V. G. Simkhovitch, New York
Dr. Don C. Sowers, Akron, Ohio
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